

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Plaintiff,

v.

Case No.
JURY TRIAL DEMANDED

CITY OF CENTREVILLE, a municipal

Corporation, jointly and severally,

TOWNSHIP OF CENTREVILLE, a

municipal corporation, jointly and

severally, COMMONFIELDS OF

CAHOKIA, CURTIS MCCALL, in his

individual and official capacity, MARIUS

“MARK” JACKSON, in his individual and

official capacity, LAMAR GENTRY, in his

individual and official capacity, and

DENNIS TRAITEUR, in his individual

and official capacity,

DEFENDANTS.

COMPLAINT

Comes now Plaintiffs, by and through their counsel, Nicole D. Nelson of Equity Legal Services, Inc. and Kalila Jackson of the Metropolitan St. Louis Equal Housing and Opportunity Council (“EHOC”), and for their Complaint for Injunctive Relief state as follows:

INTRODUCTION

With a population of approximately 5,000 people, Centreville, Illinois sits in Metro East Illinois, so close to East St. Louis that the two municipalities share a zip code, children in Centreville often attend East St. Louis High School, and depending on what side of the street you are on, step one foot over and you can easily transition from being in Centreville to East St. Louis. In recent years, Centreville has been in the news because of its infamous ranking as one of the poorest cities in the nation. Couple that with its demographics, which reflect a population that is 95% African-American, and a community where one-third lives below the poverty line, and it becomes clear that somewhere in the City of Centreville and even beyond, decisions have been made to disinvest in this community of people. A City does not become the poorest in the nation overnight. Raw sewage does not simply begin flowing into yards and into homes over the course of one day. Manholes do not immediately become over capacity nor pump stations intended to push wastewater to treatment plants suddenly stand dilapidated in ditches and on the side of roads in barely operable condition. These conditions occur due to a string of collective decisions not to invest in a community.

Despite the sheer indifference and unwillingness from the parties that are responsible for providing the Plaintiffs and their neighbors these very basic commodities such as an operable

and safe sanitary sewer and stormwater systems, the Plaintiffs are adamant in their desire to remain in their homes. There has been nothing quite as prominent and tangible as the emblem of generational wealth than home ownership. For African-Americans, attaining this tangible goal, despite the numerous barriers they encountered along the way (e.g. segregation, red-lining), was and is a triumph.¹

This historical context is relevant for this case, these Plaintiffs, their community and the relief they seek. Both Plaintiffs, **Ex. 6 Personal Privacy (PP)**, are African-American men. Both men own their homes. Plaintiffs are no exception in their community. Almost every single one of their neighbors and those in the surrounding areas of Centreville are African-American, own their homes and have owned their homes for decades. During their early years of home ownership, both **Ex. 6 Personal Privacy (PP)** and **Ex. 6 Personal Privacy (PP)** invested thousands of dollars in their homes for improvements. To move would mean to start over, to take on a mortgage that neither has had in years nor can either afford. The request and reason for relief is as straightforward as this court will find both men. They want the problems fixed. They want the flooding and raw sewage to stop coming into their homes and yards and to stop damaging their properties. The Plaintiffs want to enjoy their properties once again without the stench of raw sewage and stagnant stormwater. While damages may be appropriate in other circumstances, Plaintiffs petition this court for intervention and request a substantive resolution because damages are insufficient in these circumstances. Absent intervention that requires proper replacement of the stormwater and sanitary sewer infrastructure, Plaintiffs remain subjected to unending raw sewage overflows and

¹Coates. Ta-Nehisi. The Case for Reparations. June 2014. [The Case for Reparations by Ta-Nehisi Coates](#)

stormwater flooding, left with no properties to enjoy and what, if any, remains of their homes to pass down.

NATURE OF ACTION

1. This is a civil action for injunctive relief and civil penalties brought under 42 U.S.C. § 1983 against (1) Defendant City of Centreville, (2) Township of Centreville, and (3) Commonfields of Cahokia pursuant to the Fifth Amendment Takings Clause, which provides that “no private property shall be taken for public use, without just compensation.” U.S. Constitution Amend V.

JURISDICTION AND VENUE

2. This court has subject matter jurisdiction over claims in this action under 42 U.S.C. § 1983 pursuant to the Fifth Amendment. This Court also has jurisdiction under 28 U.S.C. § 1331 (federal question).

3. This Court has personal jurisdiction over the Defendants, City of Centreville, Township of Centreville and Commonfields of Cahokia, and the venue is proper in the Southern District of Illinois, under 28 U.S.C. § 1391(b)(2), because this is the district where these respective Defendants are located and where the alleged violations occurred.

PARTIES

4. The City of Centreville (herein, “City”) is a municipal corporation located in St. Clair County, Illinois.

5. The City of Centreville provides stormwater and sanitary sewer services for the Plaintiffs.

6. Township of Centreville (herein, “Township”) is a municipal corporation located in St. Clair County, Illinois.

7. The Township of Centreville provides stormwater and sanitary sewer services for the Plaintiffs either directly or indirectly through oversight through its agents.

8. Commonfields of Cahokia Public Water District (herein “Commonfields”) is a public water district created and existing under the laws of the State of Illinois and located in St. Clair County, Illinois. *See*, Public Water District Act (70 ILCS 3705/1 *et. seq.*).

9. Commonfields is a sanitary district providing water and wastewater distribution for the Plaintiffs.

10. Curtis McCall Sr. is the Township Supervisor for Defendant Centreville Township.

11. Dennis Traiteur is the Superintendent and Public Water District Operator for Commonfields of Cahokia.

12. Marius “Mark” Jackson is the Mayor of the City of Centreville.

13. Defendant La Mar Gentry is the Tax Increment Financing (TIF) Administrator for the City of Centreville and he is the Village Administrator for the Village of Alorton. In both roles, Defendant Gentry has significant working knowledge of the lift stations owned, operated and maintained by Defendants and oversees projects, including finances, related to lift stations and infrastructure needs throughout jurisdictions maintained by all Defendants. Defendant Gentry

has been equally aware of the flooding and sewage overflow risks and damages associated with Defendants' broken lift stations and barely functioning infrastructure.

14. The Plaintiffs are, and at all relevant times herein, were residents and owners of real and personal property located in the City of Centreville and/or Township of Centreville, County of St. Clair and State of Illinois.

15. Plaintiff, [Ex. 6 Personal Privacy (PP)] is a resident of the City/Township of Centreville, County of St. Clair and State of Illinois, and at all relevant times herein, has been the owner of real and personal property located at [Ex. 6 Personal Privacy (PP)] in said City, county and state.

16. Plaintiff [Ex. 6 Personal Privacy (PP)] is a resident of the City/Township of Centreville, County of St. Clair and State of Illinois, and at all relevant times herein, has been the owner of real and personal property located at [Ex. 6 Personal Privacy (PP)] in said City, county and state.

LEGAL STANDARD FOR FIFTH AMENDMENT TAKINGS CLAIM

17. There are multiple factors this Court must consider as it determines the merits of Plaintiffs' Fifth Amendment Takings claims which include: **how long** Plaintiffs have suffered from the flooding events, the **foreseeability** of the flooding events and risks, and the **type of land** Plaintiffs own such that their expectations are reasonable as it relates to use of the land and their investments. See, *Arkansas Game & Fish Commission v. United States*, 568 U.S. 23, 32 (2012). In addition to the Fifth Amendment Takings Clause discussed *infra*, Plaintiffs also bring this case pursuant to Article I, Section 15 of the Illinois Constitution. The Illinois Constitution provides: "Private property **shall not be taken or damaged** for public use without just

compensation.” Illinois Const., Art. I, §15. The Illinois takings clause differs from that of the federal takings clause and offers greater protection by allowing “damaged” property to be included as a possible taking. For purposes of determining a taking in the context of flooding, Illinois courts inquire if the water has “physically invaded” the land such that it has destroyed or “impair[ed] its usefulness.” *Hampton v. Metro Water Reclamation Dist.*, 57 N.E. 1229, 1239 (2016).

BACKGROUND

18. A community of residents living throughout Centreville have experienced sewage overflows and stormwater flooding for many decades. The two plaintiffs before this court are a microcosm of a much larger, broken system.

19. Although, independently both conditions could exacerbate the plaintiffs’ current circumstances, the system that the plaintiffs and their neighbors live with is one that is plagued by municipal indifference and a severely underfunded infrastructure, which has led to a stormwater and sanitary sewer system that is barely operable.

20. This is not a broken system created by the American Bottoms, the name given to the geographic region where plaintiffs live, nor created by climate change.

21. A walk through Centreville, particularly where Plaintiffs Ex. 6 Personal Privacy (PP) reside in areas known as, “Parkside” and “Ping Pong”, quickly reveals the indifference and deliberate disinvestment.

22. Notably, Mayor Jackson nor Township Supervisor Curtis McCall Sr. reside in neither of these areas.

23. Upon visiting the areas of Centreville known as “Ping Pong” and “Parkside”, visitors are immediately met with ditches overrun with stagnant water, sewage and unmowed grass, manholes paved over by the City in a failed effort to curb overflowing water systems, old piping left by the City of Centreville tossed to the side of the road across the street from homes, dilapidated pump stations left open for anyone driving by to observe, and half-done jobs of trenching by the City seemingly created to assist with the stormwater flow, but the job never fully completed. **(See attached Group Exhibit A)**. Defendants’ significant infrastructure issues and the broken conditions of many of their lift stations are well-known to Defendant Gentry and Defendant Traituer **(See attached Exhibit B)**.

24. The City and Township’s respective indifference was referenced in the February 20, 2020, article that appeared in the Belleville News-Democrat. The City’s work was described as follows: “[T]he City has been ‘trenching to expand existing ditches and in some cases, replace corrugated pipes with PVC, which typically runs underneath driveways. The old corrugated pipes, many of them dented and flattened, were discarded to the side of the roads where many remain... Ditches that are supposed to drain stormwater away from his yard are blocked with leaves and mud.’”².

² Mansouri, K. (2020, February 20). Raw sewage invades the homes of Illinois' poorest residents. Why hasn't it been fixed? *Belleville News-Democrat*. Retrieved from <https://www.bnd.com/news/local/article240218887.html>

25. The parties acknowledge that the City and Township lie in a formerly active portion of the Mississippi River floodplain called the “American Bottoms.”

26. However, Plaintiffs as well as other residents of the City and Township of Centreville can provide numerous accounts about the sewage and flooding indicating: (1) flooding and sewage overflows did not occur on the property of the Plaintiffs (nor other residents) when they moved into their homes and; (2) Plaintiffs can pinpoint timelines in which the flooding and sewage began and how it worsened over time with little to no intervention from the City and Township.

27. Plaintiff [Ex. 5 Personal Privacy (PP)] and Plaintiff [Ex. 5 Personal Privacy (PP)] have suffered from the described issues of stormwater and sewage overflows for 15 and 26 years, respectively.

28. Plaintiff [Ex. 6 Personal Privacy (PP)] is [] years old and is retired from Alton Southern Railroad. He has owned and resided at his home located at [Ex. 6 Personal Privacy (PP)] in Centreville for 36 years. Mr. [Ex. 5 Personal Privacy (PP)] and his deceased wife, purchased their home and invested money into the property by rehabbing the property over the years. In addition to living in this home with his current wife, Mr. [Ex. 5 Personal Privacy (PP)] and his wife also care for their [Ex. 6 Personal Privacy (PP)] ages [Ex. 5 Personal Privacy (PP)]

29. Mr. [Ex. 5 Personal Privacy (PP)] has suffered with raw sewage and flooding issues at his home for over 15 years. Mr. [Ex. 5 Personal Privacy (PP)] hauls wheelbarrows of lime to the corner of his home where raw sewage is known to seep from the ground and pours the lime down throughout this area with the hope that the smell of raw sewage will not overtake his lawn and home, particularly in the hot, humid summer days. His property is flanked by two ditches; both of these ditches fill with stagnant water from failed stormwater systems throughout the seasons and, even worse, with sewage when the sewer system is full and backed up. In his yard is a children’s playset, but Mr. [Ex. 5 Personal Privacy (PP)] long ago advised

his grandchildren not to play on it for fear of his grandchildren becoming ill from the nearby sewage.

30. For Plaintiff [Ex. 6 Personal Privacy (PP)] during or after a flooding event, he may be unable to flush his toilets, access a large portion of his property due to heavy flooding and without or without rainfall, is often unable to allow his grandchildren or visitors to access portions of his property due to sewage overflow and stagnant stormwater from Defendants' systems. The length of time for which Plaintiff [Ex. 6 Personal Privacy (PP)] may be unable to access portions of his property (and not allow others to do so) can vary from an hour to a few days until stormwater and sewage levels reduce per each event.

31. Plaintiff [Ex. 6 Personal Privacy (PP)] is [] years old. He owns his home located at [Ex. 6 Personal Privacy (PP)] [Ex. 6 Personal Privacy (PP)] and his wife purchased this home in 1992. [Ex. 6 Personal Privacy (PP)] and his wife raised [] children and have [] grandchildren.

32. When it rains for more than 10-15 minutes around [Ex. 6 Personal Privacy (PP)]'s home and in his neighborhood, the streets framing his home both begin to fill with water, making it impossible to leave the home and to navigate a vehicle out of the driveway (or for his neighbors to leave theirs).

33. During and/or after a flooding event, Plaintiff [] is unable to leave his driveway, yard or access the street for a lengthy period of time; this can be anywhere from several hours to overnight until the stormwater levels reduce.

34. Over the 28 years [Ex. 6 Personal Privacy (PP)] has owned and lived in this home, his basement wall has collapsed four (4) times due to the amount and force of the water from rain events, the most recent of which occurred on January 11, 2020.

35. The floor of his basement is unrecognizable, caked with mud and filled with water from the constant inundation of stormwater from failed stormwater and wastewater infrastructure.

36. [Ex. 6 Personal Privacy (PP)] basement was previously decorated as a living space with furniture. It has not been utilized as a living space for years and is no longer habitable as a sleeping space due to the amount of moisture and mud contained in the basement all of which was created by Defendants' broken sanitary and stormwater systems.

37. Plaintiff [Ex. 6 Personal Privacy (PP)] alleges that storm water and/or raw sewage has backed up into his yard, street, and/or home over the last fifteen (15) years.

38. Plaintiff [Ex. 6 Personal Privacy (PP)] alleges that stormwater and/or raw sewage has backed up into his yard, street, driveway and/or home during the last twenty-eight (28) years.

39. Plaintiffs allege that these raw sewage/stormwater back-ups have created water levels so high that they have been unable to leave their homes for hours at a time, and sometimes for days.

40. These back-ups have left Plaintiffs trapped in their respective homes, unable to leave via vehicle. There have been times agencies have offered to rescue Plaintiff [Ex. 6 Personal Privacy (PP)] and his neighbors by boat due to the height of the water.

41. Plaintiffs allege that no ongoing precipitation is required for raw sewage and/or stormwater to back up or stand in their yards and homes.

42. Plaintiffs further allege that there was heavy rainfall on January 11, 2020 in the City/Township of Centreville.

43. Plaintiffs allege that stormwater and/or raw sewage backed up into and around their homes and yards.

44. Specifically, Plaintiff [REDACTED] suffered damage from this rain event and the Defendants' failure to adequately maintain and operate their respective stormwater and wastewater systems when his yard and home were inundated with stormwater and wastewater on January 11, 2020 such that his basement wall collapsed and water rushed into the basement of his home. (**See attached Exhibit C and D**).

45. As noted in paragraph 34, this is not the first time in which Plaintiff [REDACTED] has suffered damage as result of Defendants failure to adequately maintain and operate their respective stormwater and wastewater systems. Plaintiff [REDACTED] has previously had three walls collapse due to stormwater and wastewater damage.

46. Plaintiff [REDACTED] suffers similarly as his property continues to be flanked by two ditches that hold overflowing stormwater mixed with sewage and a yard with sewage seeping from the ground.

47. These back-ups, standing and stagnant water, and raw sewage issues that have taken over Plaintiffs' homes and yards for years are due to recurrent flooding from a negligently maintained

wastewater and stormwater system per Defendants Commonfields and City/Township of Centreville.

48. Plaintiffs Ex. 6 Personal Privacy (PP) bring this action before this court for emergency relief based on recurrent flooding events that damage and trap them in their homes during unpredictable rain events, including severe flooding events that are expected in this region this spring and summer.³

49. Additionally, current conditions generated by the Defendants have made it impossible for Plaintiffs to enjoy and utilize their properties as intended due to Defendants' stormwater and sewage that is regularly diverted onto Plaintiffs' respective properties and thus interferes with their use and enjoyment.

50. This, coupled with the impending rainy season, which brings with it an even more urgent public health crisis (COVID-19), creates a potential for exposure to this virus through these sewage and stormwater overflows.

City of Centreville

51. The City of Centreville has a population of approximately 5,000 residents. The City comprises approximately 95% African-Americans and one-third of the population lives below the poverty line.

³ Hirji, Zahra. The Midwest is Preparing to get Hit With Major Floods During the Coronavirus Outbreak. March 20, 2020. Available at: <https://www.buzzfeednews.com/article/zahrahirji/coronavirus-floods-midwest?fbclid=IwAR2vC8Re042V3ja9RU7OlzFGcS9o6h-iljxs7lGnMlBQbDLcp-rt7jj2v0>

52. In 2017 and again in 2019, Centreville was listed as the poorest City in the state of Illinois and one of the poorest in the country.⁴

53. The City owns and maintains a portion of its own sanitary sewer system as well as owns and maintains a portion of its own stormwater systems.

54. Defendant Marius Jackson is the current mayor of the City of Centreville. He has been the mayor for twelve years.

55. During his tenure, the City of Centreville has not submitted required financial documentation to the Illinois Comptroller's Office for the last three (3) fiscal years.⁵

56. Since 2007, Defendant Marius Jackson has been tasked with the fiscal responsibility and oversight of the overall operations of the City of Centreville.

57. In a February 23, 2020, article in the St. Louis Post-Dispatch, the City acknowledged the issue of neglect per incumbent Defendant Jackson. Jackson alleged the neglect started long before his 12-year tenure and that the City lacks funding to make the major fixes.⁶

⁴ Stebbins, Samuel. "These are the poorest cities in every state in the US. USA Today. May 7, 2019 <https://www.usatoday.com/story/money/2019/05/07/poorest-cities-in-every-state-in-the-us/39431283/>

⁵ Illinois State Comptroller. Available at:

<https://illinoiscomptroller.gov/financial-data/local-government-division/local-government-data/landingpage/?code=088/035/30&searchtype=AFRSearch&originalSearchString=Centreville%20-%20a%20City%20in%20St.%20Clair%20County%20-%20088/035/30>

⁶ Munz, M. (2020, February 23). A plea for help: Centreville's sewage & drainage problems, pose health, safety risks. *St. Louis Post-Dispatch*. Retrieved from https://www.stltoday.com/news/local/illinois/a-plea-for-help-centreville-s-sewage-and-drainage-problems/article_3d6d22c7-8c57-5d1a-8af3-a6e6ee6ea2ee.html

58. Defendant Jackson further acknowledged: “the stuff we are doing is a Band-Aid to what really needs to take place.”

59. Mayor Jackson further stated in this article that he is unsure why the City [of Centreville] maintains 10 pumps and Commonfields the rest. He is also unsure why the canals were never maintained, but claims likely due to lack of money and equipment. He explained: “[N]o one ever touched it and now my administration is dealing with that.”

60. Defendants City of Centreville and Township of Centreville have taken no actions to permanently resolve and prevent these recurrent conditions.

Township of Centreville

61. Centreville Township has a population of 25, 386. The township was created in 1910 and comprises unincorporated Centreville, Village of Alorton and parts of Cahokia.

62. Supervisor of Centreville Township is Curtis McCall Sr. The Township last reported Defendant McCall’s salary as supervisor in 2011 to be \$84, 358.56.⁷

63. Defendant McCall sits as a board of trustee for the following entities: Commonfields of Cahokia, Metro East Sanitary District (Vice President), and Eastside Health District.

64. As the township supervisor and chairman of the board of trustees of Commonfield of Cahokia, and board member of the Metro East Sanitary District, Defendant Curtis McCall Sr.

⁷ (Bischel, 2017)

had sufficient notice of the inadequate and many times, inoperable, sewer and stormwater system issues that plague the Township of Centreville. (See attached **Exhibit E**).

65. Defendant McCall is the chief executive officer for the Township as well as the treasurer for the road district within the Township. Pursuant to these duties the supervisor is required to “keep a just and true account of the receipts and expenditures.” Failure to perform duties results in disqualification as the supervisor. *See*. 60 ILCS 1/70 *et. seq.*

66. It is common knowledge where Plaintiffs reside that several roads within the City and Township of Centreville are in very poor condition, many due to the flooding and sewage overflows that have damaged the roads over time.

67. 63rd Street is a road located within the Defendant Township. Shortly after stormwater flooded the streets on 63rd Street and near Piat Place on January 11, 2020, a hole began to develop in this street. As demonstrated by the attached exhibits, this hole has continued to widen over the last few months with no resolution from Defendants. The photos were taken March 19, 2020 and May 22, 2020, respectively. The photo taken on May 22, 2020, reflects the status of this portion of 63rd street at the time of this filing. (See attached **Group Exhibit F**).

69. In addition to his position as Township Supervisor, Defendant McCall Sr. also receives notice of sanitary sewer infrastructure status and/or issues in the Township through his position as Chairman of the Board of Trustees for Commonfields of Cahokia. (See attached **Group Exhibit G**).

70. Environmental conditions in the City/Township areas where plaintiffs live have been described as follows: “Myla Blandford, assistant administrator and director of environmental health for East Side Health District, said the agency gets calls from people in Centreville community ‘consistently’ concerning the smell of sewage and the illnesses they relate to it... Typically, the agency responds to the area where there is raw sewage on lawns or for standing water that needs larvicide to prevent mosquito growth.”⁸

71. Defendant Township and Defendant McCall Sr., as an agent of the Township, have received notice of the ongoing sewage, stormwater flooding and increased risks of flooding to those who live in the areas of “Ping Pong” and “Parkside” due to complaints received from Plaintiffs, other Centreville residents, and from ongoing lift station repairs that have not resolved these issues.

72. The Village of Alorton lies within the boundaries of the Township of Centreville.⁹

73. The estimated population of Alorton in 2018 was 1,928 and is 97% African-American.

74. JoAnn Reed is the Mayor of Alorton.

75. La Mar Gentry is the Village Administrator for the Village of Alorton.

76. Defendant Gentry maintains oversight projects related to the City of Centreville as it relates to administration of funds including sanitary sewers, pump stations and stormwater systems.

⁸ Mansouri, K. (2020, February 20). Raw sewage invades the homes of Illinois' poorest residents. Why hasn't it been fixed? *Belleville News-Democrat*. Retrieved from <https://www.bnd.com/news/local/article240218887.html>

⁹ On March 17, 2020, voters in the City of Centreville and Village of Alorton voted to merge the cities into a new municipality named Alcentra. Mansouri, K. (March 17, 2020) Illinois election results show Alorton, Centreville will merge. *Belleville News Democrat*. Retrieved from: <https://www.bnd.com/news/politics-government/election/article241281461.html>

77. His salary for the Village of Alorton is currently unknown. His salary for the City of Centreville is currently unknown.

78. Defendants City of Centreville and Township of Centreville have been aware that the pump stations, sewer systems and stormwater systems that they service, maintain and/or own are either full and unable to take on incoming wastewater or are inoperable, causing recurrent flooding and sewage overflows in Plaintiffs' properties as well as other Centreville residents' properties.

Commonfields of Cahokia

79. Defendant, Superintendent Dennis Traiteur, was appointed as the General Manager of Commonfields in September 2005. He is currently the Superintendent of Commonfields.

80. In May 2010, in prior unrelated litigation, Defendant Traiteur provided that his job duties included: daily operation of the water district, completing and presenting mandated forms to the Environmental Protection Agency, managing revenue, financial statements, personnel, budgetary issues, water projects and improvements, **developing plans for lift station rehabilitations or replacements**, water main replacements, **pump booster station replacements and upgrades**.

81. In that same litigation, Defendant Traiteur cited that as the general manager, the financial accounts were sound with "historical amounts of revenue in the accounts" including \$ 1.1 million in investment accounts.¹⁰

¹⁰ *Traiteur v. Commonfields of Cahokia Public Water District et. al*, No. 10-CH-676, 5.

82. Plaintiffs and numerous residents across Centreville have experienced raw sewage overflows from the wastewater system for minimally ten years; some Centreville residents' issues with raw sewage and stormwater overflows date back nearly fifty years.

83. Prior to, during, and subsequent to the cited time of historical revenue, Defendant Commonfields did not use this revenue to stop the recurrent flooding and sewage overflows in the known areas of Centreville and those areas occupied by Plaintiffs.

84. In a 2019 Freedom of Information Act document production to the Plaintiffs, Defendant Commonfields produced what appears to be their most recent CapaCity Management Operations and Maintenance Program (herein "CMOM"), in which they allocated zero dollars for "emergency maintenance and repairs, future equipment and infrastructure replacement and contingency funds" for the year 2013-2014. **(See attached Exhibit H excerpt from CMOM).**

85. Defendant Commonfields has been aware that lift stations and sewer systems that it services, maintains, and owns are either full (unable to take in wastewater) or inoperable, creating the recurrent flooding and sewage overflows and increased risk of flooding to Plaintiffs' properties as well as other Centreville residents' properties.

86. In the same February 23, 2020, article that Defendant Jackson is quoted, Defendant Traiteur, explained there is little they can do and alleged that the wastewater has nowhere to go because the lines release into East St. Louis' sewer system which he claims is backed up.¹¹

¹¹ *Traiteur v. Commonfields of Cahokia Public Water District et. al*, No. 10-CH-676, 5.

87. Commonfields is on notice currently and has been on notice for nearly ten years, if not more, that the areas in which Plaintiffs live have been subject to recurrent flooding and/or sewage overflows due to failures of their pumps, equipment and overall failure to adequately maintain their sanitary sewer system. (**See Exhibit E; See also attached Group Exhibit I**).

88. To date, Defendant Commonfields has taken no actions to permanently resolve and prevent these recurrent conditions.

GENERAL ALLEGATIONS

89. For the stormwater and sanitary sewer infrastructure within their geographic purview and boundaries, the City and Township of Centreville are charged with the responsibility to construct, maintain, and operate drains, conduits, pumping plants, ditches, channels or outlets of such capacity and character as required to carry off, and for the disposal of, stagnant or overflow water, sewage and other drainage of such district and to lay out, establish, construct, maintain, and operate all such adjuncts or auxiliary improvements or works as may be necessary or proper for the accomplishment of the purposes intended.

90. For the stormwater and wastewater infrastructure within their geographic purview and boundaries, Commonfields is charged with the responsibility to construct, maintain, and operate drains, conduits, pumping plants, ditches, channels or outlets of such capacity and character as required to carry off, and for the disposal of, stagnant or overflow water, sewage and other drainage of such district and to lay out, establish, construct, maintain, and operate all such

adjuncts or auxiliary improvements or works as may be necessary or proper for the accomplishment of the purposes intended

91. For years, the City of Centreville has had notice of the sanitary sewage overflows and stormwater overflows in the geographic region for which they are responsible.

92. As an agent of the City, Defendant Jackson knew or should have known of the history of flooding in the City of Centreville and knew that Plaintiffs (and residents living around them) who live within the geographic boundaries of City of Centreville, specifically living in the areas known as “Ping Pong” and Parkside”, were prone to flooding and were at an increased risk of flooding.

93. As an agent of the Township, Defendant McCall Sr. knew or should have known the history of flooding in the Township and knew that Plaintiffs (and residents living around them), specifically living in the areas known as “Ping Pong” and Parkside”, were prone to flooding and were at an increased risk of flooding; as treasurer of the road district, Defendant McCall Sr. failed to adequately allocate monies to the roads within the Township that have been devastated by ongoing stormwater flooding and sewage overflows from Defendants’ broken infrastructure.

94. Defendant Commonfields and agent of Defendant Commonfields, Dennis Traiteur, knew or should have known of the history of flooding in the City/Township and knew that Plaintiffs living in the areas known as “Ping Pong” and Parkside” (and residents living around them) were prone to flooding and were at an increased risk of flooding, particularly in light of constant

ad-hoc repairs to lift stations over the years that have not resolved stormwater and sewage overflow issues. **(See attached Group Exhibit J).**

95. Defendant Commonfields and Defendant Traiteur's prior notice of this history of flooding and increased risk of flooding to Plaintiffs in these areas is well-documented by resident complaints and letters sent to them from the Illinois Environmental Protection Agency.

96. Prior to the recent stormwater flooding event on January 11, 2020, both Defendants were aware of the history of recurrent flooding in the City/Township of Centreville.

97. For example, in the past, representatives from Commonfields have relayed to Centreville residents that the sewers are "full" (unable to take in wastewater) and have told residents there is nowhere for the wastewater to go.

98. Defendant City of Centreville and Defendant Jackson's prior notice of this history of flooding in these areas is well-documented by letters sent to him from the Illinois Environmental Protection Agency regarding permitting issues and resident complaints about sanitary sewage overflows. **(See attached Group Exhibits K).**

99. A 2015 broadcast from a local news station also covered a flooding event that occurred in the City on Piat Place; as mentioned above, Plaintiff [REDACTED] resides on Piat Place.¹²

¹² [Flash flooding traps some St. Clair County residents](#)

100. Both Defendants have received notice of these ongoing flooding and public health conditions precipitated by Defendants' use of broken lift stations and use of lift stations with insufficient capacity.

101. Accordingly, Defendants knew or should have known about the regular recurrence of stormwater flooding and sewage overflows on Plaintiffs' properties were diverted from their respective sanitary sewer and stormwater systems.

102. Pursuant to information received from employees from Defendant Commonfields, Defendant City of Centreville purportedly maintains, owns and is responsible for at least (10) pump stations, if not twelve (12), and Defendant Commonfields owns a remaining 18 pump stations.

103. The following pump stations are owned and/or maintained by City of Centreville:

1. Bluff and N. 82nd
2. 81st and Belleview
3. 73rd Street
4. Near Oakland Street
5. 71st Street
6. Ames Drive
7. 71st and Park (likely defunct and replaced with sewer line)
8. 63rd and Pittsburgh
9. N. 63rd and Laura
10. (56 block) Lake Drive and Beachland

11. 75th Street, near Pershing

12. N. 75th Street

104. Pursuant to documentation Plaintiffs obtained from Defendant Commonfields in a FOIA request, Defendant Commonfields owns/maintains twenty-seven (27) pump stations. (See **attached Exhibit L**)

105. As demonstrated between these two lists, there is considerable overlap between Defendants as to who owns and/or maintains the lift stations; more than half of these lift stations are in conditions ranging from “fair” to inoperable.

106. Plaintiffs reside in the following areas closest to lift stations at:

1. 82nd & Belleview - listed as “station floods”—“temporary submersible.”
2. 82nd & Bluff - listed as “station floods”—“temporary submersible”
3. 63rd and Laura - listed as “fair condition.”

107. As evident from numerous internal documents, including Exhibit L, Defendants have been aware of the increased risk of stormwater flooding and sewage overflows to Plaintiffs (and communities surrounding them) due to their continued use of lift stations that are “flooded” and in “poor” condition in and near where Plaintiffs reside.

EMERGENCY CIRCUMSTANCES

108. Based on the weather patterns from 2014 through 2018 for City/Township of Centreville in St. Clair County, the months that average the most precipitation (in order) are: April, July, August, May and June.¹³

109. This can obviously vary widely for the Plaintiffs and other residents of Centreville based on factors noted above which include: (1) a failing sewer and stormwater infrastructure that enables stagnant stormwater and sewage to remain standing in yards, ditches, and roads during times where there is **no** existing or impending rain event; and (2) each year can bring vastly different rain events and during unexpected times as evidenced by the rain event on January 11, 2020, that Plaintiff [REDACTED] and his neighbors suffered well before the anticipated rainy season.

110. Plaintiffs urgently petition this court for relief and intervention in the midst of the current rainy season to prevent further harm to their properties and homes.

111. Both Plaintiffs are elderly and/or some suffer chronic health conditions or have elderly family members for whom they provide care.

112. Plaintiffs can no longer sustain the physical, mental and financial burdens of these dysfunctional sewer and stormwater systems and the rainy days which further exacerbate current terrible and unhealthy conditions.

¹³ All data from the National Oceanic & Atmospheric Administration's National Environmental Satellite, Data, and

Information Service, gathered at: CENTREVILLE 1.9 E, IL US US1ILSC0011 Station, located at: Elev: 604 ft., Lat: 38.5735o N Lon: -90.0660o W.

113. Absent this Court's intervention, Plaintiffs' homes and properties will be overrun with stagnant water, flooding and sewage overflow until the end of the rainy season and again at the end of the year.

114. Furthermore, Plaintiffs find themselves in impossible circumstances. They cannot sell their homes because of the sewage, water damage, and low valuations due to the water and sewer damage.

115. Yet, Plaintiffs have been denied or discouraged from applying for home improvement loans due to the low home valuations and/or inevitable and unending water damage to their respective homes.

116. Defendants have demonstrated that without court intervention they will not provide relief nor carry out their respective duties to provide an operable, safe and healthy stormwater and sewer system.

117. Additionally and equally important, with research indicating coronavirus (herein "COVID-19") can be detected in waste and uncertainty as to whether the virus can be transmitted via contact with waste, Plaintiffs find themselves in even more urgent circumstances requiring court intervention to prevent a potentially worsening public health crisis.¹⁴

¹⁴ Wu FQ., Zhang JB, Gu XQ, Lee, WL, Kauffman, K., Hanage, WP, Matus, M., Ghaeli, N., Endo N., Duvallet, C., Moniz, K., Erickson, TB., Chai, PR., Thompson, J., Alm, EJ. SARS-CoV-2 *Titers in wastewater are higher than expected from clinically confirmed cases.*

118. If COVID-19 is determined to be infectious through contact with waste, any flooding or sewage overflows that are sure to come further threaten the lives of Plaintiffs with potential exposure.

119. This would cause devastating effects on Plaintiffs and residents throughout this community who are older and often find themselves exposed to these conditions.

120. This, along with the very serious public health implications, financial devastation and constant exposure to sewage and stormwater overflows with no end in sight, is why court intervention is imperative and urgent.

Count I

Section 1983 Claim for Violation of Taking Clause of Fifth Amendment to the United States Constitution

121. Paragraphs 1 – 120 are re-alleged and incorporated herein.

122. The Fifth Amendment to the United States Constitution provides in relevant part that private property shall not be taken for public use without just compensation.

123. The Fifth Amendment Takings Clause is applicable to the states, and to their political subdivisions, by virtue of the Fourteenth Amendment.

124. 42 U.S.C. § 1983 provides a private remedy for those whose constitutional rights are violated by the actions of a government entity.

125. The Fifth Amendment protects a subset of the takings prohibited by the Illinois Constitution. Therefore, any taking in violation of Article I, Section 15 of the Illinois Constitution necessarily constitutes a violation of the Takings Clause.

126. The Defendants' actions therefore constitute a taking of private property for public use for which their actions should be enjoined.

127. Defendants' construction, maintenance, and operation of their respective sewer and stormwater system caused an invasion of unwanted water and sewage on Plaintiffs' respective premises and homes as recently as January 11, 2020 and as far back as 1993.

128. Defendants have provided Plaintiffs with faulty stormwater and wastewater infrastructure such that both respectively cause sewage and stormwater overflows onto the properties and into the homes of Plaintiffs causing damage to their respective properties.

129. The flooding caused by Defendants directly, immediately and radically interfered with Plaintiffs' enjoyment and use of their land.

130. Defendants have diverted or caused raw sewage and stormwater to flow onto the properties of Plaintiffs such that they have incurred special damages to their respective properties including contaminated water on their land and in their homes, inability to utilize the property as originally intended when purchased, and devaluation of property.

131. The flooding caused by stormwater and sewage released by Defendants' stormwater and sewer systems and onto Plaintiffs' properties was recurrent and well-known to Defendants.

132. The flood waters were diverted and released from Defendants' respective stormwater and sewer systems to Plaintiffs' properties by intentional and negligent acts of Defendants.

133. The flood waters, stagnant waters and/or sewage remains on Plaintiffs' properties for prolonged periods of time such that their property is unable to be fully used as a result of the flood waters.

134. The flooding that Plaintiffs have experienced was reasonably foreseeable to Defendants and Defendants should have known that the flooding would occur.

135. The damage inflicted to Plaintiffs' respective homes has cost them thousands of dollars over the last several years and continues to cost this much as the damage continues to mount with damaged flooring, walls, hot water heaters, and furnaces, and mold occurring due to the flooding.

Count II

Violation of the Eminent Domain Clause of the Illinois Constitution

136. Paragraphs 1 - 120 are re-alleged and incorporated herein.

137. Article I, Section 15 of the Illinois Constitution provides that, "Private property shall not be taken or damaged for public use without just compensation."

138. Section 15 requires just compensation for two distinct types of injuries: the taking of private property and damage to private property for public use.

139. Defendants' actions therefore constitute a temporary taking in violation of Section 15, Article I of the Illinois Constitution for which just compensation is required.

WHEREFORE, Plaintiffs **Ex. 6 Personal Privacy (PP)** pray this honorable Court enter judgment in their favor and against Defendants as follows:

A. Preliminary and permanent injunctions:

1. Restraining Defendants City of Centreville (also possibly known as or doing business as Alcentra) and Township of Centreville from depositing or diverting its stormwater onto Plaintiffs' properties;
2. Restraining Defendants City of Centreville (also possibly known as or doing business as Alcentra), Township of Centreville and Commonfields from depositing or diverting its wastewater onto Plaintiffs' properties;
3. Requiring Defendants City of Centreville (also possibly known or doing business as Alcentra), Township of Centreville and Commonfields pursuant to the recommendations of a credentialed and qualified party to whom all parties agree, immediate replacement of all pump stations with pumps to be working at adequate capacity at any locations designated as "fair", "poor" or "flooded" conditions within 30 days of entry of this order. (**See Exhibit L**).
4. Requiring Defendants City of Centreville (also possible known as or doing business as Alcentra), Township of Centreville and Commonfields to prevent deposit or diversion of wastewater from those systems onto Plaintiffs' properties, with the installation of new pump/lift stations including, but not limited to, the

installation of sewer lines as replacement for pump stations where agreed upon by parties as necessary.

5. An order for equitable relief to remediate the harm caused by Defendants' unconstitutional conduct, including the appointment of a monitor to oversee the respective operations and replacement for new pump stations to Defendants' sanitary sewer system(s), construction and improvements needed to repair Plaintiffs' homes damaged by Defendants' broken infrastructure to include any construction and/or monies disbursed related to these improvements for a time period deemed appropriate by the court.
6. For such other relief as the Court deems just and proper.

Jury Demand

Plaintiffs demand trial by jury on all issues which are triable by a jury.

Respectfully submitted,

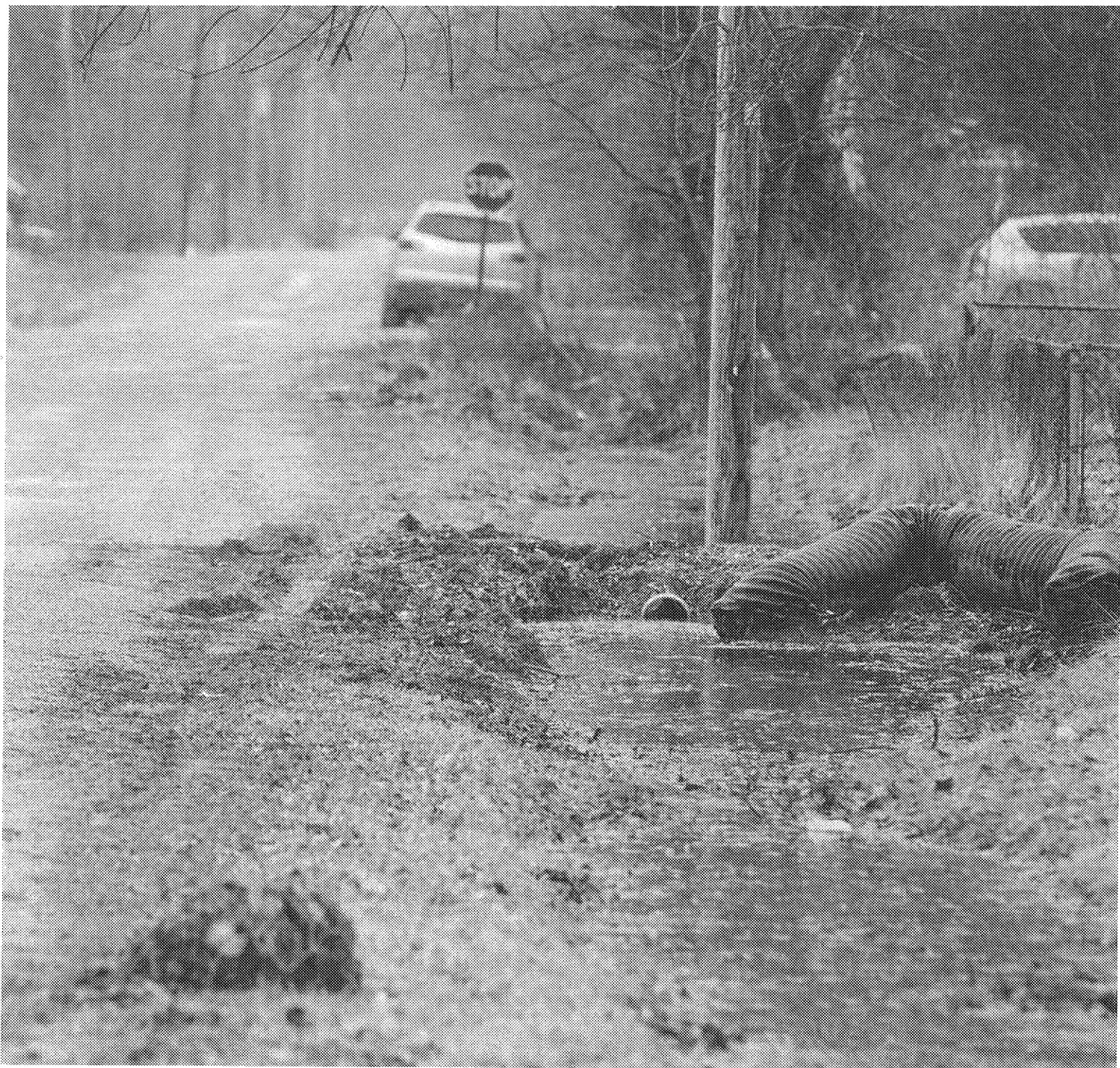
/s/Nicole D. Nelson

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Respectfully submitted,

/s/ Kalila J. Jackson
Kalila J. Jackson, # 61964
METROPOLITAN ST. LOUIS EQUAL
HOUSING & OPPORTUNITY COUNCIL
Attorney for Plaintiffs
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St. Louis, MO 63110
Telephone: (314) 534-5800 x 7007
Email: kjackson@ehoc-stl.org

DATED: June 5, 2020



Group Exhibit A



USEPA Order Pretreatment

Miles, Jim

Environmental Justice
Commonfield, Beuk Council

From: Stitely, Joe
Sent: Tuesday, January 28, 2020 5:47 PM
To: Miles, Jim
Cc: Sanders, Gregg; Caughman, Wayne; Rosenblum, Fred
Subject: Commonfield of Cahokia & Centerville/Alorton Collection System Meeting

MAR 20 2020

REVIEWER: MED

Yesterday (01/27/20), Wayne Caughman, Gregg Sanders, and I met with Dennis Traiteur, Manager for Commonfield of Cahokia Water & Sewer District, and La Mar Gentry, Administrator for the Village of Alorton and Centerville. The purpose of the meeting was to discuss issues related to the collection system problems, including SSO's, in their communities.

Commonfield of Cahokia Collection System - The system currently has 27 lift stations in the collection system. According to Traiteur, the system has at least 12 lift stations that are desperately in need renovation. Multiple stations only have one pump operational and seven of the stations are operated by a single temporary submersible pump (original pumps are non-operational). The collection system is mostly 8-inch concrete main with severe infiltration and inflow (I & I) issues. We discussed the need to reduce I & I in the collection system. I asked about possibly raising or sealing manholes. Traiteur indicated sealing manholes would possibly cause flooding issues. The area has significant issues with the management of stormwater.

Currently, sewage from 732 Commonfield customers discharge into the East St. Louis collection system while 976 customers discharge to Cahokia. There are not any main interceptors conveying wastewater into the East St. Louis collection system. There are seven entry points from the Commonfield collection system into the East St. Louis collection system. According to Traiteur, most of the sewer backup issues are related to the areas that report to East St. Louis. It should be noted that the East St. Louis collection system has three CSO outfalls. He indicated that when the East St. Louis collection system becomes charged during precipitation events, wastewater flows from Commonfield cannot be discharged to East St. Louis. Therefore, they are forced to shut their pump stations down. He also indicated that it common for residents to remove their clean out caps to avoid sewer being backed up in their homes. We discussed their inspection and routine maintenance of their collection system. Currently, the system does not have a program due to staffing issues. In addition, we explained that all SSOs are to be reported to the Agency and a 5-day written report sent to CAS.

Centerville/Alorton: The Centerville/Alorton collection system currently has 10 lift stations. According to the information provided by Gentry, Centerville owns eight. Of the eight, four stations are not operational. Three of them are being pumped via bypass pumping and the other station is going out for bid for new pumps and control panel. The collection system is mostly 8-inch and 10-inch PVC main with severe infiltration and inflow (I & I) issues. Sewage from Alorton is discharged to the Centerville collection system. Part of the sewage from Centerville is discharged to the East St. Louis collection system and part of the sewage does to the Cahokia Lift station. Gentry estimated that there are 4-5 entry points into the East St. Louis collection system. He indicated that most of the backup issues are related to the areas that report to East St. Louis system. He indicated that when the East St. Louis collection system becomes charged during precipitation events, wastewater flows from Centerville cannot be discharged to East St. Louis. He also indicated that it common for residents to remove their clean out caps to avoid sewer being backed up in their homes. The collection system area has significant issues with the management of stormwater. In addition, we explained that all SSOs are to be reported to the Agency and a 5-day written report sent to CAS.

We also stopped by Hurst-Roushe, Inc., engineering consultant for Commonfield of Cahokia, Alorton, Centerville, and East St. Louis. We requested a map identifying the specific locations where for Commonfield



Illinois EPA FOIA Exemption Reference Sheet

Agency ID: 170002064986

Media File Type: WATER

Bureau ID: W1630300005

Site Name: Centreville City of

Site Address1: 5800 Bond Ave

Site Address2:

Site City: Centreville

State: IL

Zip: 62207-

**This record has been determined to
be partially or wholly exempt from
public disclosure**

Exemption Type:

Redaction

Exempt Doc #: 24

Document Date: 1 /28/2020

Staff: MED

Document Description: EMAIL: STITELY TO MILES PAGE 2

Category ID: 01

Category Description: FIELD OPERATIONS/INSPECTIONS

Exempt Type: Redaction

Permit ID:

Date of Determination: 3 /20/2020

of Cahokia, Alorton, and Centerville discharge into the East St. Louis collection system. They indicated that they would work on it and send it to us when it is completed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

MAR 20 2020

REVIEWER: MED

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Plaintiff,

v.

Case No.
JURY TRIAL DEMANDED

CITY OF CENTREVILLE, a municipal
Corporation, jointly and severally,
TOWNSHIP OF CENTREVILLE, a
municipal corporation, jointly and
severally, COMMONFIELDS OF
CAHOKIA, CURTIS MCCALL, in his
individual and official capacity, MARIUS
"MARK" JACKSON, in his individual and
official capacity, LAMAR GENTRY, in his
individual and official capacity, and
DENNIS TRAITEUR, in his individual
and official capacity,

DEFENDANTS.

COMPLAINT

Comes now Plaintiffs, by and through their counsel, Nicole D. Nelson of Equity Legal Services, Inc. and Kalila Jackson of the Metropolitan St. Louis Equal Housing and Opportunity Council ("EHOC"), and for their Complaint for Injunctive Relief state as follows:

INTRODUCTION

With a population of approximately 5,000 people, Centreville, Illinois sits in Metro East Illinois, so close to East St. Louis that the two municipalities share a zip code, children in Centreville often attend East St. Louis High School, and depending on what side of the street you are on, step one foot over and you can easily transition from being in Centreville to East St. Louis. In recent years, Centreville has been in the news because of its infamous ranking as one of the poorest cities in the nation. Couple that with its demographics, which reflect a population that is 95% African-American, and a community where one-third lives below the poverty line, and it becomes clear that somewhere in the City of Centreville and even beyond, decisions have been made to disinvest in this community of people. A City does not become the poorest in the nation overnight. Raw sewage does not simply begin flowing into yards and into homes over the course of one day. Manholes do not immediately become over capacity nor pump stations intended to push wastewater to treatment plants suddenly stand dilapidated in ditches and on the side of roads in barely operable condition. These conditions occur due to a string of collective decisions not to invest in a community.

Despite the sheer indifference and unwillingness from the parties that are responsible for providing the Plaintiffs and their neighbors these very basic commodities such as an operable

and safe sanitary sewer and stormwater systems, the Plaintiffs are adamant in their desire to remain in their homes. There has been nothing quite as prominent and tangible as the emblem of generational wealth than home ownership. For African-Americans, attaining this tangible goal, despite the numerous barriers they encountered along the way (e.g. segregation, red-lining), was and is a triumph.¹

This historical context is relevant for this case, these Plaintiffs, their community and the relief they seek. Both Plaintiffs, **Ex. 6 Personal Privacy (PP)**, are African-American men. Both men own their homes. Plaintiffs are no exception in their community. Almost every single one of their neighbors and those in the surrounding areas of Centreville are African-American, own their homes and have owned their homes for decades. During their early years of home ownership, both Mr. **Ex. 6 Personal Privacy (PP)** invested thousands of dollars in their homes for improvements. To move would mean to start over, to take on a mortgage that neither has had in years nor can either afford. The request and reason for relief is as straightforward as this court will find both men. They want the problems fixed. They want the flooding and raw sewage to stop coming into their homes and yards and to stop damaging their properties. The Plaintiffs want to enjoy their properties once again without the stench of raw sewage and stagnant stormwater. While damages may be appropriate in other circumstances, Plaintiffs petition this court for intervention and request a substantive resolution because damages are insufficient in these circumstances. Absent intervention that requires proper replacement of the stormwater and sanitary sewer infrastructure, Plaintiffs remain subjected to unending raw sewage overflows and

¹Coates, Ta-Nehisi, The Case for Reparations. June 2014. [The Case for Reparations by Ta-Nehisi Coates](#)

stormwater flooding, left with no properties to enjoy and what, if any, remains of their homes to pass down.

NATURE OF ACTION

1. This is a civil action for injunctive relief and civil penalties brought under 42 U.S.C. § 1983 against (1) Defendant City of Centreville, (2) Township of Centreville, and (3) Commonfields of Cahokia pursuant to the Fifth Amendment Takings Clause, which provides that “no private property shall be taken for public use, without just compensation.” U.S. Constitution Amend V.

JURISDICTION AND VENUE

2. This court has subject matter jurisdiction over claims in this action under 42 U.S.C. § 1983 pursuant to the Fifth Amendment. This Court also has jurisdiction under 28 U.S.C. § 1331 (federal question).

3. This Court has personal jurisdiction over the Defendants, City of Centreville, Township of Centreville and Commonfields of Cahokia, and the venue is proper in the Southern District of Illinois, under 28 U.S.C. § 1391(b)(2), because this is the district where these respective Defendants are located and where the alleged violations occurred.

PARTIES

4. The City of Centreville (herein, “City”) is a municipal corporation located in St. Clair County, Illinois.

5. The City of Centreville provides stormwater and sanitary sewer services for the Plaintiffs.

6. Township of Centreville (herein, “Township”) is a municipal corporation located in St. Clair County, Illinois.

7. The Township of Centreville provides stormwater and sanitary sewer services for the Plaintiffs either directly or indirectly through oversight through its agents.

8. Commonfields of Cahokia Public Water District (herein “Commonfields”) is a public water district created and existing under the laws of the State of Illinois and located in St. Clair County, Illinois. *See*, Public Water District Act (70 ILCS 3705/1 *et. seq.*).

9. Commonfields is a sanitary district providing water and wastewater distribution for the Plaintiffs.

10. Curtis McCall Sr. is the Township Supervisor for Defendant Centreville Township.

11. Dennis Traiteur is the Superintendent and Public Water District Operator for Commonfields of Cahokia.

12. Marius “Mark” Jackson is the Mayor of the City of Centreville.

13. Defendant La Mar Gentry is the Tax Increment Financing (TIF) Administrator for the City of Centreville.

14. The Plaintiffs are, and at all relevant times herein, were residents and owners of real and personal property located in the City of Centreville and/or Township of Centreville, County of St. Clair and State of Illinois.

15. Plaintiff, [Ex. 6 Personal Privacy (PP)], is a resident of the City/Township of Centreville, County of St. Clair and State of Illinois, and at all relevant times herein, has been the owner of real and personal property located at [Ex. 6 Personal Privacy (PP)] in said City, county and state.

16. Plaintiff [Ex. 6 Personal Privacy (PP)] is a resident of the City/Township of Centreville, County of St. Clair and State of Illinois, and at all relevant times herein, has been the owner of real and personal property located at [Ex. 6 Personal Privacy (PP)] in said City, county and state.

LEGAL STANDARD FOR FIFTH AMENDMENT TAKINGS CLAIM

17. There are multiple factors this Court must consider as it determines the merits of Plaintiffs' Fifth Amendment Takings claims which include: **how long** Plaintiffs have suffered from the flooding events, the **foreseeability** of the flooding events and risks, and the **type of land** Plaintiffs own such that their expectations are reasonable as it relates to use of the land and their investments. See, *Arkansas Game & Fish Commission v. United States*, 568 U.S. 23, 32 (2012). In addition to the Fifth Amendment Takings Clause discussed *infra*, Plaintiffs also bring this case pursuant to Article I, Section 15 of the Illinois Constitution. The Illinois Constitution provides: "Private property **shall not be taken or damaged** for public use without just compensation." Illinois Const., Art. I, §15. The Illinois takings clause differs from that of the federal takings clause and offers greater protection by allowing "damaged" property to be included as a possible taking. For purposes of determining a taking in the context of flooding, Illinois courts inquire if the water has "physically invaded" the land such that it has destroyed or "impair[ed] its usefulness." *Hampton v. Metro Water Reclamation Dist.*, 57 N.E. 1229, 1239 (2016).

BACKGROUND

18. A community of residents living throughout Centreville have experienced sewage overflows and stormwater flooding for many decades. The two plaintiffs before this court are a microcosm of a much larger, broken system.

19. Although, independently both conditions could exacerbate the plaintiffs' current circumstances, the system that the plaintiffs and their neighbors live with is one that is plagued by municipal indifference and a severely underfunded infrastructure, which has led to a stormwater and sanitary sewer system that is barely operable.

20. This is not a broken system created by the American Bottoms, the name given to the geographic region where plaintiffs live, nor created by climate change.

21. A walk through Centreville, particularly where Plaintiffs Ex. 6 Personal Privacy (PP) reside in areas known as, "Parkside" and "Ping Pong", quickly reveals the indifference and deliberate disinvestment.

22. Notably, Mayor Jackson nor Township Supervisor Curtis McCall Sr. reside in neither of these areas.

23. Upon visiting the areas of Centreville known as "Ping Pong" and "Parkside", visitors are immediately met with ditches overrun with stagnant water, sewage and unmowed grass, manholes paved over by the City in a failed effort to curb overflowing water systems, old piping left by the City of Centreville tossed to the side of the road across the street from homes,

dilapidated pump stations left open for anyone driving by to observe, and half-done jobs of trenching by the City seemingly created to assist with the stormwater flow, but the job never fully completed. (See attached **Group Exhibit A**). Defendants' significant infrastructure issues and the broken conditions of many of their lift stations are well-known to Defendant Gentry and Defendant Traituer (See attached **Exhibit B**).

24. The City and Township's respective indifference was referenced in the February 20, 2020, article that appeared in the Belleville News-Democrat. The City's work was described as follows: "[T]he City has been 'trenching to expand existing ditches and in some cases, replace corrugated pipes with PVC, which typically runs underneath driveways. The old corrugated pipes, many of them dented and flattened, were discarded to the side of the roads where many remain... Ditches that are supposed to drain stormwater away from his yard are blocked with leaves and mud.'"².

25. The parties acknowledge that the City and Township lie in a formerly active portion of the Mississippi River floodplain called the "American Bottoms."

26. However, Plaintiffs as well as other residents of the City and Township of Centreville can provide numerous accounts about the sewage and flooding indicating: (1) flooding and sewage overflows did not occur on the property of the Plaintiffs (nor other residents) when they moved into their homes and; (2) Plaintiffs can pinpoint timelines in which the flooding and sewage began and how it worsened over time with little to no intervention from the City and Township.

² Mansouri, K. (2020, February 20). Raw sewage invades the homes of Illinois' poorest residents. Why hasn't it been fixed? *Belleville News-Democrat*. Retrieved from <https://www.bnd.com/news/local/article240218887.html>

27. Plaintiff [Ex. 6 Personal Privacy (PP)] and Plaintiff [Ex. 6 Personal Privacy (PP)] have suffered from the described issues of stormwater and sewage overflows for 15 and 26 years, respectively.

28. Plaintiff [Ex. 6 Personal Privacy (PP)] is [Ex. 6 Personal Privacy (PP)] years old and is retired from Alton Southern Railroad.

He has owned and resided at his home located at [Ex. 6 Personal Privacy (PP)] in Centreville for 36 years. [Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)] and his deceased wife, purchased their home and invested money into the property by rehabbing the property over the years. In addition to living in this home with his current wife,

[Ex. 6 Personal Privacy (PP)] and his wife also care for their [Ex. 6 Personal Privacy (PP)] ages [Ex. 6 Personal Privacy (PP)]

29. Mr. [Ex. 6 Personal Privacy (PP)] has suffered with raw sewage and flooding issues at his home for over 15 years.

Mr. [Ex. 6 Personal Privacy (PP)] hauls wheelbarrows of lime to the corner of his home where raw sewage is known to seep from the ground and pours the lime down throughout this area with the hope that the smell of raw sewage will not overtake his lawn and home, particularly in the hot, humid summer days. His property is flanked by two ditches; both of these ditches fill with stagnant water from failed stormwater systems throughout the seasons and, even worse, with sewage when the sewer system is full and backed up. In his yard is a children's playset, but Mr. [Ex. 6 Personal Privacy (PP)] long ago advised his grandchildren not to play on it for fear of his grandchildren becoming ill from the nearby sewage.

30. For Plaintiff [Ex. 6 Personal Privacy (PP)] during or after a flooding event, he may be unable to flush his toilets, access a large portion of his property due to heavy flooding and without or without rainfall, is often unable to allow his grandchildren or visitors to access portions of his property due to sewage overflow and stagnant stormwater from Defendants' systems. The length of time for which Plaintiff [Ex. 6 Personal Privacy (PP)] may be unable to access portions of his property (and not allow

others to do so) can vary from an hour to a few days until stormwater and sewage levels reduce per each event.

31. Plaintiff [Ex. 6 Personal Privacy (PP)] is [] years old. He owns his home located at [Ex. 6 Personal Privacy (PP)] and his wife purchased this home in 1992. Mr. [] and his wife raised [] children and have [] grandchildren.

32. When it rains for more than 10-15 minutes around Mr. [Ex. 6 Personal Privacy (PP)] home and in his neighborhood, the streets framing his home both begin to fill with water, making it impossible to leave the home and to navigate a vehicle out of the driveway (or for his neighbors to leave theirs).

33. During and/or after a flooding event, Plaintiff [] is unable to leave his driveway, yard or access the street for a lengthy period of time; this can be anywhere from several hours to overnight until the stormwater levels reduce.

34. Over the 28 years [Ex. 6 Personal Privacy (PP)] has owned and lived in this home, his basement wall has collapsed four (4) times due to the amount and force of the water from rain events, the most recent of which occurred on January 11, 2020.

35. The floor of his basement is unrecognizable, caked with mud and filled with water from the constant inundation of stormwater from failed stormwater and wastewater infrastructure.

36. [Ex. 6 Personal Privacy (PP)] basement was previously decorated as a living space with furniture. It has not been utilized as a living space for years and is no longer habitable as a sleeping space due to the

amount of moisture and mud contained in the basement all of which was created by Defendants' broken sanitary and stormwater systems.

37. Plaintiff Ex. 6 Personal Privacy (PP) alleges that storm water and/or raw sewage has backed up into his yard, street, and/or home over the last fifteen (15) years.

38. Plaintiff Ex. 6 Personal Privacy (PP) alleges that stormwater and/or raw sewage has backed up into his yard, street, driveway and/or home during the last twenty-eight (28) years.

39. Plaintiffs allege that these raw sewage/stormwater back-ups have created water levels so high that they have been unable to leave their homes for hours at a time, and sometimes for days.

40. These back-ups have left Plaintiffs trapped in their respective homes, unable to leave via vehicle. There have been times agencies have offered to rescue Plaintiff and his neighbors by boat due to the height of the water.

41. Plaintiffs allege that no ongoing precipitation is required for raw sewage and/or stormwater to back up or stand in their yards and homes.

42. Plaintiffs further allege that there was heavy rainfall on January 11, 2020 in the City/Township of Centreville.

43. Plaintiffs allege that stormwater and/or raw sewage backed up into and around their homes and yards.

44. Specifically, Plaintiff suffered damage from this rain event and the Defendants' failure to adequately maintain and operate their respective stormwater and wastewater systems when his

yard and home were inundated with stormwater and wastewater on January 11, 2020 such that his basement wall collapsed and water rushed into the basement of his home. (See attached **Exhibit C and D**).

45. As noted in paragraph 34, this is not the first time in which Plaintiff [REDACTED] has suffered damage as result of Defendants failure to adequately maintain and operate their respective stormwater and wastewater systems. Plaintiff [REDACTED] has previously had three walls collapse due to stormwater and wastewater damage.

46. Plaintiff [REDACTED] suffers similarly as his property continues to be flanked by two ditches that hold overflowing stormwater mixed with sewage and a yard with sewage seeping from the ground.

47. These back-ups, standing and stagnant water, and raw sewage issues that have taken over Plaintiffs' homes and yards for years are due to recurrent flooding from a negligently maintained wastewater and stormwater system per Defendants Commonfields and City/Township of Centreville.

48. Plaintiffs [REDACTED] bring this action before this court for emergency relief based on recurrent flooding events that damage and trap them in their homes during unpredictable rain events, including severe flooding events that are expected in this region this spring and summer.³

³ Hirji, Zahra. The Midwest is Preparing to get Hit With Major Floods During the Coronavirus Outbreak. March 20, 2020. Available at: <https://www.buzzfeednews.com/article/zahrahirji/coronavirus-floods-midwest?fbclid=IwAR2yC8Re042V3ja9RU7OlzFGcS9o6h-iljxs71GnM1BObDLcp-rt7ji2v0>

49. Additionally, current conditions generated by the Defendants have made it impossible for Plaintiffs to enjoy and utilize their properties as intended due to Defendants' stormwater and sewage that is regularly diverted onto Plaintiffs' respective properties and thus interferes with their use and enjoyment.

50. This, coupled with the impending rainy season, which brings with it an even more urgent public health crisis (COVID-19), creates a potential for exposure to this virus through these sewage and stormwater overflows.

City of Centreville

51. The City of Centreville has a population of approximately 5,000 residents. The City comprises approximately 95% African-Americans and one-third of the population lives below the poverty line.

52. In 2017 and again in 2019, Centreville was listed as the poorest City in the state of Illinois and one of the poorest in the country.⁴

53. The City owns and maintains a portion of its own sanitary sewer system as well as owns and maintains a portion of its own stormwater systems.

54. Defendant Marius Jackson is the current mayor of the City of Centreville. He has been the mayor for twelve years.

⁴ Stebbins, Samuel. "These are the poorest cities in every state in the US. USA Today. May 7, 2019 <https://www.usatoday.com/story/money/2019/05/07/poorest-cities-in-every-state-in-the-us/39431283/>

55. During his tenure, the City of Centreville has not submitted required financial documentation to the Illinois Comptroller's Office for the last three (3) fiscal years.⁵

56. Since 2007, Defendant Marius Jackson has been tasked with the fiscal responsibility and oversight of the overall operations of the City of Centreville.

57. In a February 23, 2020, article in the St. Louis Post-Dispatch, the City acknowledged the issue of neglect per incumbent Defendant Jackson. Jackson alleged the neglect started long before his 12-year tenure and that the City lacks funding to make the major fixes.⁶

58. Defendant Jackson further acknowledged: "the stuff we are doing is a Band-Aid to what really needs to take place."

59. Mayor Jackson further stated in this article that he is unsure why the City [of Centreville] maintains 10 pumps and Commonfields the rest. He is also unsure why the canals were never maintained, but claims likely due to lack of money and equipment. He explained: "[N]o one ever touched it and now my administration is dealing with that."

60. Defendants City of Centreville and Township of Centreville have taken no actions to permanently resolve and prevent these recurrent conditions.

⁵ Illinois State Comptroller. Available at:

<https://illinoiscomptroller.gov/financial-data/local-government-division/local-government-data/landingpage/?code=088/035/30&searchtype=AFRSearch&originalSearchString=Centreville%20-%20a%20City%20in%20St.%20Clair%20County%20-%20088/035/30>

⁶ Munz, M. (2020, February 23). A plea for help: Centreville's sewage & drainage problems, pose health, safety risks. *St. Louis Post-Dispatch*. Retrieved from https://www.stltoday.com/news/local/illinois/a-plea-for-help-centreville-s-sewage-and-drainage-problems/article_3d6d22c7-8c57-5d1a-8af3-a6e6ee6ea2ee.html

Township of Centreville

61. Centreville Township has a population of 25, 386. The township was created in 1910 and comprises unincorporated Centreville, Village of Alorton and parts of Cahokia.

62. Supervisor of Centreville Township is Curtis McCall Sr. The Township last reported Defendant McCall's salary as supervisor in 2011 to be \$84, 358.56.⁷

63. Defendant McCall sits as a board of trustee for the following entities: Commonfields of Cahokia, Metro East Sanitary District (Vice President), and Eastside Health District.

64. As the township supervisor and chairman of the board of trustees of Commonfield of Cahokia, and board member of the Metro East Sanitary District, Defendant Curtis McCall Sr. had sufficient notice of the inadequate and many times, inoperable, sewer and stormwater system issues that plague the Township of Centreville. (See attached Exhibit E).

65. Defendant McCall is the chief executive officer for the Township as well as the treasurer for the road district within the Township. Pursuant to these duties the supervisor is required to "keep a just and true account of the receipts and expenditures." Failure to perform duties results in disqualification as the supervisor. *See*. 60 ILCS 1/70 *et. seq.*

66. It is common knowledge where Plaintiffs reside that several roads within the City and Township of Centreville are in very poor condition, many due to the flooding and sewage overflows that have damaged the roads over time.

⁷ (Bischel, 2017)

67. 63rd Street is a road located within the Defendant Township. Shortly after stormwater flooded the streets on 63rd Street and near Piat Place on January 11, 2020, a hole began to develop in this street. As demonstrated by the attached exhibits, this hole has continued to widen over the last few months with no resolution from Defendants. The photos were taken March 19, 2020 and May 22, 2020, respectively. The photo taken on May 22, 2020, reflects the status of this portion of 63rd street at the time of this filing. **(See attached Group Exhibit F).**

69. In addition to his position as Township Supervisor, Defendant McCall Sr. also receives notice of sanitary sewer infrastructure status and/or issues in the Township through his position as Chairman of the Board of Trustees for Commonfields of Cahokia. **(See attached Group Exhibit G).**

70. Environmental conditions in the City/Township areas where plaintiffs live have been described as follows: “Myla Blandford, assistant administrator and director of environmental health for East Side Health District, said the agency gets calls from people in Centreville community ‘consistently’ concerning the smell of sewage and the illnesses they relate to it... Typically, the agency responds to the area where there is raw sewage on lawns or for standing water that needs larvicide to prevent mosquito growth.”⁸

71. Defendant Township and Defendant McCall Sr., as an agent of the Township, have received notice of the ongoing sewage, stormwater flooding and increased risks of flooding to those who

⁸ Mansouri, K. (2020, February 20). Raw sewage invades the homes of Illinois' poorest residents. Why hasn't it been fixed? *Belleville News-Democrat*. Retrieved from <https://www.bnd.com/news/local/article240218887.html>

live in the areas of “Ping Pong” and “Parkside” due to complaints received from Plaintiffs, other Centreville residents, and from ongoing lift station repairs that have not resolved these issues.

72. The Village of Alorton lies within the boundaries of the Township of Centreville.⁹

73. The estimated population of Alorton in 2018 was 1,928 and is 97% African-American.

74. JoAnn Reed is the Mayor of Alorton.

75. La Mar Gentry is the Village Administrator for the Village of Alorton.

76. Defendant Gentry maintains oversight projects related to the City of Centreville as it relates to administration of funds including sanitary sewers, pump stations and stormwater systems.

77. His salary for the Village of Alorton is currently unknown. His salary for the City of Centreville is currently unknown.

78. Defendants City of Centreville and Township of Centreville have been aware that the pump stations, sewer systems and stormwater systems that they service, maintain and/or own are either full and unable to take on incoming wastewater or are inoperable, causing recurrent flooding and sewage overflows in Plaintiffs’ properties as well as other Centreville residents’ properties.

⁹ On March 17, 2020, voters in the City of Centreville and Village of Alorton voted to merge the cities into a new municipality named Alcentra. Mansouri, K. (March 17, 2020) Illinois election results show Alorton, Centreville will merge. *Belleville News Democrat*. Retrieved from: <https://www.bnd.com/news/politics-government/election/article241281461.html>

Commonfields of Cahokia

79. Defendant, Superintendent Dennis Traiteur, was appointed as the General Manager of Commonfields in September 2005. He is currently the Superintendent of Commonfields.

80. In May 2010, in prior unrelated litigation, Defendant Traiteur provided that his job duties included: daily operation of the water district, completing and presenting mandated forms to the Environmental Protection Agency, managing revenue, financial statements, personnel, budgetary issues, water projects and improvements, **developing plans for lift station rehabilitations or replacements**, water main replacements, **pump booster station replacements and upgrades**.

81. In that same litigation, Defendant Traiteur cited that as the general manager, the financial accounts were sound with “historical amounts of revenue in the accounts” including \$ 1.1 million in investment accounts.¹⁰

82. Plaintiffs and numerous residents across Centreville have experienced raw sewage overflows from the wastewater system for minimally ten years; some Centreville residents’ issues with raw sewage and stormwater overflows date back nearly fifty years.

83. Prior to, during, and subsequent to the cited time of historical revenue, Defendant Commonfields did not use this revenue to stop the recurrent flooding and sewage overflows in the known areas of Centreville and those areas occupied by Plaintiffs.

84. In a 2019 Freedom of Information Act document production to the Plaintiffs, Defendant Commonfields produced what appears to be their most recent CapaCity Management Operations

¹⁰ *Traiteur v. Commonfields of Cahokia Public Water District et. al*, No. 10-CH-676, 5.

and Maintenance Program (herein “CMOM”), in which they allocated zero dollars for “emergency maintenance and repairs, future equipment and infrastructure replacement and contingency funds” for the year 2013-2014. (See attached Exhibit H excerpt from CMOM).

85. Defendant Commonfields has been aware that lift stations and sewer systems that it services, maintains, and owns are either full (unable to take in wastewater) or inoperable, creating the recurrent flooding and sewage overflows and increased risk of flooding to Plaintiffs’ properties as well as other Centreville residents’ properties.

86. In the same February 23, 2020, article that Defendant Jackson is quoted, Defendant Traiteur, explained there is little they can do and alleged that the wastewater has nowhere to go because the lines release into East St. Louis’ sewer system which he claims is backed up.¹¹

87. Commonfields is on notice currently and has been on notice for nearly ten years, if not more, that the areas in which Plaintiffs live have been subject to recurrent flooding and/or sewage overflows due to failures of their pumps, equipment and overall failure to adequately maintain their sanitary sewer system. (See Exhibit E; See also attached Group Exhibit I).

88. To date, Defendant Commonfields has taken no actions to permanently resolve and prevent these recurrent conditions.

GENERAL ALLEGATIONS

89. For the stormwater and sanitary sewer infrastructure within their geographic purview and boundaries, the City and Township of Centreville are charged with the responsibility to

¹¹ *Traiteur v. Commonfields of Cahokia Public Water District et. al*, No. 10-CH-676, 5.

construct, maintain, and operate drains, conduits, pumping plants, ditches, channels or outlets of such capacity and character as required to carry off, and for the disposal of, stagnant or overflow water, sewage and other drainage of such district and to lay out, establish, construct, maintain, and operate all such adjuncts or auxiliary improvements or works as may be necessary or proper for the accomplishment of the purposes intended.

90. For the stormwater and wastewater infrastructure within their geographic purview and boundaries, Commonfields is charged with the responsibility to construct, maintain, and operate drains, conduits, pumping plants, ditches, channels or outlets of such capacity and character as required to carry off, and for the disposal of, stagnant or overflow water, sewage and other drainage of such district and to lay out, establish, construct, maintain, and operate all such adjuncts or auxiliary improvements or works as may be necessary or proper for the accomplishment of the purposes intended

91. For years, the City of Centreville has had notice of the sanitary sewage overflows and stormwater overflows in the geographic region for which they are responsible.

92. As an agent of the City, Defendant Jackson knew or should have known of the history of flooding in the City of Centreville and knew that Plaintiffs (and residents living around them) who live within the geographic boundaries of City of Centreville, specifically living in the areas known as "Ping Pong" and Parkside", were prone to flooding and were at an increased risk of flooding.

93. As an agent of the Township, Defendant McCall Sr. knew or should have known the history of flooding in the Township and knew that Plaintiffs (and residents living around them),

specifically living in the areas known as “Ping Pong” and Parkside”, were prone to flooding and were at an increased risk of flooding; as treasurer of the road district, Defendant McCall Sr. failed to adequately allocate monies to the roads within the Township that have been devastated by ongoing stormwater flooding and sewage overflows from Defendants’ broken infrastructure.

94. Defendant Commonfields and agent of Defendant Commonfields, Dennis Traiteur, knew or should have known of the history of flooding in the City/Township and knew that Plaintiffs living in the areas known as “Ping Pong” and Parkside” (and residents living around them) were prone to flooding and were at an increased risk of flooding, particularly in light of constant ad-hoc repairs to lift stations over the years that have not resolved stormwater and sewage overflow issues. **(See attached Group Exhibit J).**

95. Defendant Commonfields and Defendant Traiteur’s prior notice of this history of flooding and increased risk of flooding to Plaintiffs in these areas is well-documented by resident complaints and letters sent to them from the Illinois Environmental Protection Agency.

96. Prior to the recent stormwater flooding event on January 11, 2020, both Defendants were aware of the history of recurrent flooding in the City/Township of Centreville.

97. For example, in the past, representatives from Commonfields have relayed to Centreville residents that the sewers are “full” (unable to take in wastewater) and have told residents there is nowhere for the wastewater to go.

98. Defendant City of Centreville and Defendant Jackson’s prior notice of this history of flooding in these areas is well-documented by letters sent to him from the Illinois Environmental

Protection Agency regarding permitting issues and resident complaints about sanitary sewage overflows. (See attached Group Exhibits K).

99. A 2015 broadcast from a local news station also covered a flooding event that occurred in the City on Piat Place; as mentioned above, Plaintiff resides on Piat Place.¹²

100. Both Defendants have received notice of these ongoing flooding and public health conditions precipitated by Defendants' use of broken lift stations and use of lift stations with insufficient capacity.

101. Accordingly, Defendants knew or should have known about the regular recurrence of stormwater flooding and sewage overflows on Plaintiffs' properties were diverted from their respective sanitary sewer and stormwater systems.

102. Pursuant to information received from employees from Defendant Commonfields, Defendant City of Centreville purportedly maintains, owns and is responsible for at least (10) pump stations, if not twelve (12), and Defendant Commonfields owns a remaining 18 pump stations.

103. The following pump stations are owned and/or maintained by City of Centreville:

1. Bluff and N. 82nd
2. 81st and Belleview
3. 73rd Street
4. Near Oakland Street

¹² Flash flooding traps some St. Clair County residents

5. 71st Street
6. Ames Drive
7. 71st and Park (likely defunct and replaced with sewer line)
8. 63rd and Pittsburgh
9. N. 63rd and Laura
10. (56 block) Lake Drive and Beachland
11. 75th Street, near Pershing
12. N. 75th Street

104. Pursuant to documentation Plaintiffs obtained from Defendant Commonfields in a FOIA request, Defendant Commonfields owns/maintains twenty-seven (27) pump stations. (See **attached Exhibit L**)

105. As demonstrated between these two lists, there is considerable overlap between Defendants as to who owns and/or maintains the lift stations; more than half of these lift stations are in conditions ranging from “fair” to inoperable.

106. Plaintiffs reside in the following areas closest to lift stations at:

1. 82nd & Belleview - listed as “station floods”—“temporary submersible.”
2. 82nd & Bluff - listed as “station floods”—“temporary submersible”
3. 63rd and Laura - listed as “fair condition.”

107. As evident from numerous internal documents, including Exhibit L, Defendants have been aware of the increased risk of stormwater flooding and sewage overflows to Plaintiffs (and

communities surrounding them) due to their continued use of lift stations that are “flooded” and in “poor” condition in and near where Plaintiffs reside.

EMERGENCY CIRCUMSTANCES

108. Based on the weather patterns from 2014 through 2018 for City/Township of Centreville in St. Clair County, the months that average the most precipitation (in order) are: April, July, August, May and June.¹³

109. This can obviously vary widely for the Plaintiffs and other residents of Centreville based on factors noted above which include: (1) a failing sewer and stormwater infrastructure that enables stagnant stormwater and sewage to remain standing in yards, ditches, and roads during times where there is no existing or impending rain event; and (2) each year can bring vastly different rain events and during unexpected times as evidenced by the rain event on January 11, 2020, that Plaintiff [REDACTED] and his neighbors suffered well before the anticipated rainy season.

110. Plaintiffs urgently petition this court for relief and intervention in the midst of the current rainy season to prevent further harm to their properties and homes.

111. Both Plaintiffs are elderly and/or some suffer chronic health conditions or have elderly family members for whom they provide care.

¹³ All data from the National Oceanic & Atmospheric Administration’s National Environmental Satellite, Data, and

Information Service, gathered at: CENTREVILLE 1.9 E, IL US USHLSC0011 Station, located at: Elev: 604 ft., Lat: 38.5735o N Lon: -90.0660o W.

112. Plaintiffs can no longer sustain the physical, mental and financial burdens of these dysfunctional sewer and stormwater systems and the rainy days which further exacerbate current terrible and unhealthy conditions.

113. Absent this Court's intervention, Plaintiffs' homes and properties will be overrun with stagnant water, flooding and sewage overflow until the end of the rainy season and again at the end of the year.

114. Furthermore, Plaintiffs find themselves in impossible circumstances. They cannot sell their homes because of the sewage, water damage, and low valuations due to the water and sewer damage.

115. Yet, Plaintiffs have been denied or discouraged from applying for home improvement loans due to the low home valuations and/or inevitable and unending water damage to their respective homes.

116. Defendants have demonstrated that without court intervention they will not provide relief nor carry out their respective duties to provide an operable, safe and healthy stormwater and sewer system.

117. Additionally and equally important, with research indicating coronavirus (herein "COVID-19") can be detected in waste and uncertainty as to whether the virus can be

transmitted via contact with waste, Plaintiffs find themselves in even more urgent circumstances requiring court intervention to prevent a potentially worsening public health crisis.¹⁴

118. If COVID-19 is determined to be infectious through contact with waste, any flooding or sewage overflows that are sure to come further threaten the lives of Plaintiffs with potential exposure.

119. This would cause devastating effects on Plaintiffs and residents throughout this community who are older and often find themselves exposed to these conditions.

120. This, along with the very serious public health implications, financial devastation and constant exposure to sewage and stormwater overflows with no end in sight, is why court intervention is imperative and urgent.

Count I

Section 1983 Claim for Violation of Taking Clause of Fifth Amendment to the United States Constitution

121. Paragraphs 1 – 120 are re-alleged and incorporated herein.

122. The Fifth Amendment to the United States Constitution provides in relevant part that private property shall not be taken for public use without just compensation.

123. The Fifth Amendment Takings Clause is applicable to the states, and to their political subdivisions, by virtue of the Fourteenth Amendment.

¹⁴ Wu FQ., Zhang JB, Gu XQ, Lee, WL, Kauffman, K., Hanage, WP, Matus, M., Ghaeli, N., Endo N., Duvallet, C., Moniz, K., Erickson, TB., Chai, PR., Thompson, J., Alm, EJ. SARS-CoV-2 *Titers in wastewater are higher than expected from clinically confirmed cases.*

124. 42 U.S.C. § 1983 provides a private remedy for those whose constitutional rights are violated by the actions of a government entity.

125. The Fifth Amendment protects a subset of the takings prohibited by the Illinois Constitution. Therefore, any taking in violation of Article I, Section 15 of the Illinois Constitution necessarily constitutes a violation of the Takings Clause.

126. The Defendants' actions therefore constitute a taking of private property for public use for which their actions should be enjoined.

127. Defendants' construction, maintenance, and operation of their respective sewer and stormwater system caused an invasion of unwanted water and sewage on Plaintiffs' respective premises and homes as recently as January 11, 2020 and as far back as 1993.

128. Defendants have provided Plaintiffs with faulty stormwater and wastewater infrastructure such that both respectively cause sewage and stormwater overflows onto the properties and into the homes of Plaintiffs causing damage to their respective properties.

129. The flooding caused by Defendants directly, immediately and radically interfered with Plaintiffs' enjoyment and use of their land.

130. Defendants have diverted or caused raw sewage and stormwater to flow onto the properties of Plaintiffs such that they have incurred special damages to their respective properties including contaminated water on their land and in their homes, inability to utilize the property as originally intended when purchased, and devaluation of property.

131. The flooding caused by stormwater and sewage released by Defendants' stormwater and sewer systems and onto Plaintiffs' properties was recurrent and well-known to Defendants.

132. The flood waters were diverted and released from Defendants' respective stormwater and sewer systems to Plaintiffs' properties by intentional and negligent acts of Defendants.

133. The flood waters, stagnant waters and/or sewage remains on Plaintiffs' properties for prolonged periods of time such that their property is unable to be fully used as a result of the flood waters.

134. The flooding that Plaintiffs have experienced was reasonably foreseeable to Defendants and Defendants should have known that the flooding would occur.

135. The damage inflicted to Plaintiffs' respective homes has cost them thousands of dollars over the last several years and continues to cost this much as the damage continues to mount with damaged flooring, walls, hot water heaters, and furnaces, and mold occurring due to the flooding.

Count II

Violation of the Eminent Domain Clause of the Illinois Constitution

136. Paragraphs 1 - 120 are re-alleged and incorporated herein.

137. Article I, Section 15 of the Illinois Constitution provides that, "Private property shall not be taken or damaged for public use without just compensation."

138. Section 15 requires just compensation for two distinct types of injuries: the taking of private property and damage to private property for public use.

139. Defendants' actions therefore constitute a temporary taking in violation of Section 15, Article I of the Illinois Constitution for which just compensation is required.

WHEREFORE, Plaintiffs **Ex. 6 Personal Privacy (PP)** pray this honorable Court enter judgment in their favor and against Defendants as follows:

A. Preliminary and permanent injunctions:

1. Restraining Defendants City of Centreville (also possibly known as or doing business as Alcentra) and Township of Centreville from depositing or diverting its stormwater onto Plaintiffs' properties;
2. Restraining Defendants City of Centreville (also possibly known as or doing business as Alcentra), Township of Centreville and Commonfields from depositing or diverting its wastewater onto Plaintiffs' properties;
3. Requiring Defendants City of Centreville (also possibly known or doing business as Alcentra), Township of Centreville and Commonfields pursuant to the recommendations of a credentialed and qualified party to whom all parties agree, immediate replacement of all pump stations with pumps to be working at adequate capacity at any locations designated as "fair", "poor" or "flooded" conditions within 30 days of entry of this order. (See Exhibit L).
4. Requiring Defendants City of Centreville (also possible known as or doing business as Alcentra), Township of Centreville and Commonfields to prevent

deposit or diversion of wastewater from those systems onto Plaintiffs' properties, with the installation of new pump/lift stations including, but not limited to, the installation of sewer lines as replacement for pump stations where agreed upon by parties as necessary.

5. An order for equitable relief to remediate the harm caused by Defendants' unconstitutional conduct, including the appointment of a monitor to oversee the respective operations and replacement for new pump stations to Defendants' sanitary sewer system(s), construction and improvements needed to repair Plaintiffs' homes damaged by Defendants' broken infrastructure to include any construction and/or monies disbursed related to these improvements for a time period deemed appropriate by the court.
6. For such other relief as the Court deems just and proper.

Jury Demand

Plaintiffs demand trial by jury on all issues which are triable by a jury.

Respectfully submitted,

/s/Nicole D. Nelson

Nicole. D. Nelson **IL Bar No 6340017**

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Respectfully submitted,

/s/ Kalila J. Jackson

Kalila J. Jackson, # 61964 **MO Bar No.**

METROPOLITAN ST. LOUIS EQUAL
HOUSING & OPPORTUNITY COUNCIL

Attorney for Plaintiffs

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St. Louis, MO 63110

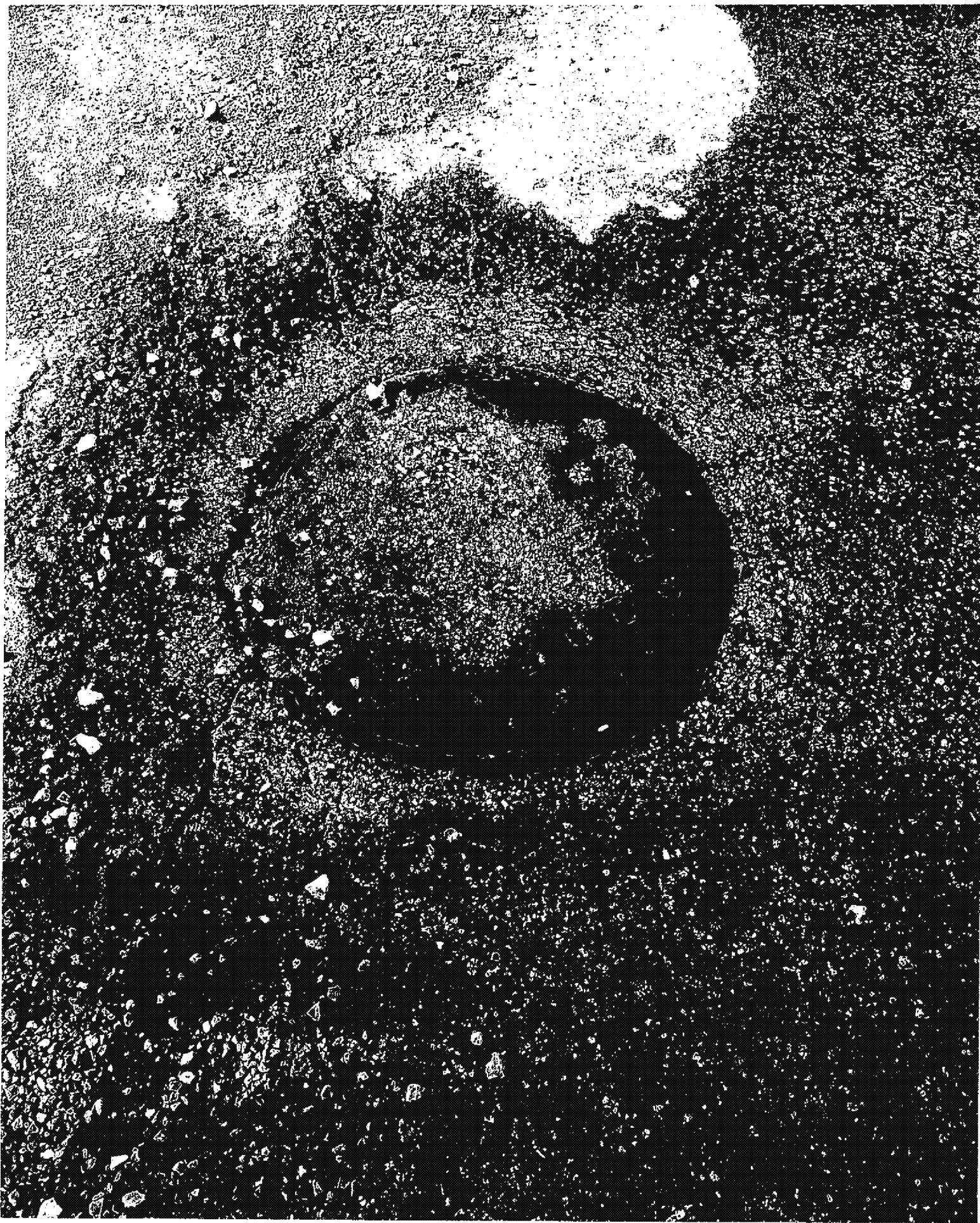
Telephone: (314) 534-5800 x 7007

Email: kjackson@ehoc-stl.org

DATED: June 5, 2020



Group Exhibit A



Group Exhibit A

ED_005451A_00007682-00070

USEPA Order Pretreatment

W1630300005/STCland
KaleCenterville/Centerville, Ohio

Miles, Jim

Environmental Justice
Commonfield, Centerville, Alorton
CouncilFOS
EPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

From: Stitely, Joe
Sent: Tuesday, January 28, 2020 5:47 PM
To: Miles, Jim
Cc: Sanders, Gregg; Caughman, Wayne; Rosenblum, Fred
Subject: Commonfield of Cahokia & Centerville/Alorton Collection System Meeting

MAR 20 2020

REVIEWER: MED

Yesterday (01/27/20), Wayne Caughman, Gregg Sanders, and I met with Dennis Traiteur, Manager for Commonfield of Cahokia Water & Sewer District, and La Mar Gentry, Administrator for the Village of Alorton and Centerville. The purpose of the meeting was to discuss issues related to the collection system problems, including SSO's, in their communities.

Commonfield of Cahokia Collection System - The system currently has 27 lift stations in the collection system. According to Traiteur, the system has at least 12 lift stations that are desperately in need renovation. Multiple stations only have one pump operational and seven of the stations are operated by a single temporary submersible pump (original pumps are non-operational). The collection system is mostly 8-inch concrete main with severe infiltration and inflow (I & I) issues. We discussed the need to reduce I & I in the collection system. I asked about possibly raising or sealing manholes. Traiteur indicated sealing manholes would possibly cause flooding issues. The area has significant issues with the management of stormwater.

Currently, sewage from 732 Commonfield customers discharge into the East St. Louis collection system while 976 customers discharge to Cahokia. There are not any main interceptors conveying wastewater into the East St. Louis collection system. There are seven entry points from the Commonfield collection system into the East St. Louis collection system. According to Traiteur, most of the sewer backup issues are related to the areas that report to East St. Louis. It should be noted that the East St. Louis collection system has three CSO outfalls. He indicated that when the East St. Louis collection system becomes charged during precipitation events, wastewater flows from Commonfield cannot be discharged to East St. Louis. Therefore, they are forced to shut their pump stations down. He also indicated that it common for residents to remove their clean out caps to avoid sewer being backed up in their homes. We discussed their inspection and routine maintenance of their collection system. Currently, the system does not have a program due to staffing issues. In addition, we explained that all SSOs are to be reported to the Agency and a 5-day written report sent to CAS.

Centerville/Alorton: The Centerville/Alorton collection system currently has 10 lift stations. According to the information provided by Gentry, Centerville owns eight. Of the eight, four stations are not operational. Three of them are being pumped via bypass pumping and the other station is going out for bid for new pumps and control panel. The collection system is mostly 8-inch and 10-inch PVC main with severe infiltration and inflow (I & I) issues. Sewage from Alorton is discharged to the Centerville collection system. Part of the sewage from Centerville is discharged to the East St. Louis collection system and part of the sewage does to the Cahokia Lift station. Gentry estimated that there are 4-5 entry points into the East St. Louis collection system. He indicated that most of the backup issues are related to the areas that report to East St. Louis system. He indicated that when the East St. Louis collection system becomes charged during precipitation events, wastewater flows from Centerville cannot be discharged to East St. Louis. He also indicated that it common for residents to remove their clean out caps to avoid sewer being backed up in their homes. The collection system area has significant issues with the management of stormwater. In addition, we explained that all SSOs are to be reported to the Agency and a 5-day written report sent to CAS.

We also stopped by Hurst-Roushe, Inc., engineering consultant for Commonfield of Cahokia, Alorton, Centerville, and East St. Louis. We requested a map identifying the specific locations where for Commonfield

Exhibit B



Illinois EPA FOIA Exemption Reference Sheet

SID: 35850

Agency ID: 170002064986

Media File Type: WATER

Bureau ID: W1630300005

Site Name: Centreville City of

Site Address1: 5800 Bond Ave

Site Address2:

Site City: Centreville

State: IL

Zip: 62207-

**This record has been determined to
be partially or wholly exempt from
public disclosure**

Exemption Type:

Redaction

Exempt Doc #: 24

Document Date: 1 /28/2020

Staff: MED

Document Description: EMAIL: STITELY TO MILES PAGE 2

Category ID: 01

Category Description: FIELD OPERATIONS/INSPECTIONS

Exempt Type: Redaction

Permit ID:

Date of Determination: 3 /20/2020

of Cahokia, Alorton, and Centerville discharge into the East St. Louis collection system. They indicated that they would work on it and send it to us when it is completed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

MAR 20 2020

REVIEWER: MED



Exhibit C



Exhibit D

W 1638020002/ST CLAIR
 BACCARIA / LOWMORFIELD OF
 FOS CANTONIA PWD

COMPLAINT LISTING

Name	Date	Community	Type of Complaint
[REDACTED]	1/13/2003	E. St. Louis	Sewage*
[REDACTED]	2/10/2003	E. St. Louis	Sewage*
[REDACTED]	9/30/2003	E. St. Louis	Sewage*
[REDACTED]	10/14/2003	Centreville	Sewage**
[REDACTED]	11/18/2003	Centreville	Sewage***
[REDACTED]	12/8/2003	E. St. Louis	Sewage*
[REDACTED]	4/5/2004	E. St. Louis	Sewage*
[REDACTED]	11/1/2004	E. St. Louis	Sewage*
[REDACTED]	1/18/2005	Alorton	Flooding
[REDACTED]	3/9/2005	Centreville	Sewage***
[REDACTED]	8/29/2005	Centreville	Sewage***
[REDACTED]	9/15/2006	Centreville	Sewage*
[REDACTED]	3/4/2008	E. St. Louis	Sewer odor*
[REDACTED]	4/10/2008	E. St. Louis	Sewage***
[REDACTED]	4/18/2008	E. St. Louis	Sewage*
[REDACTED]	4/23/2008	Centreville	Sewage**
Unknown	5/28/2009	E. St. Louis	sewage*
Unknown	8/11/2009	Centreville	Sewage**
[REDACTED]	9/8/2009	E. St. Louis	Sewage*
[REDACTED]	11/16/2009	Centreville	Sewage**
[REDACTED]	12/16/2009	E. St. Louis	Sewage*
[REDACTED]	1/4/2012	E. St. Louis	Sewage/odor*
[REDACTED]	8/12/2014	E. St. Louis	Sewage*
[REDACTED]	10/15/2018	E. St. Louis	Sewage*

IEPA - DIVISION OF RECORDS MANAGEMENT
 RELEASABLE

MAR 20 2020

REVIEWER: MED

*Owner of collection system-E. St. Louis **Owner-Commonfields *** Owner-Centreville

Exhibite

COMPLAINT LISTING

Name	Date	Community	Type of Complaint
[REDACTED]	11/25/2009	Centreville	Sewage*
Unknown	7/16/2010	Signal Hill, Belleville	Sewage**
[REDACTED]	7/26/2010	Centreville	Sewage **
[REDACTED]	12/16/2010	Centreville	Sewage*
[REDACTED]	3/21/2011	Centreville	Sewage**
[REDACTED]	3/23/2011	Centreville	Sewage **
[REDACTED]	4/7/2011	Alorton	Sewage*
[REDACTED]	5/10/2011	Centreville	Sewage**
[REDACTED]	8/2/2011	Signal Hill, Belleville	Sewage**
[REDACTED]	8/11/2011	Signal Hill, Belleville	Sewage**
[REDACTED]	10/8/2012	Centreville	Sewage**
Unknown	10/7/2014	Centreville	Sewage*
Unknown	2/3/2015	Centreville	Sewage*
Unknown	9/15/2015	Centreville	Sewage*
[REDACTED]	9/18/2015	Centreville	Sewage**
Unknown	7/6/2017	Centreville	Sewage*
Unknown	1/4/2018	Centreville	Sewage*
[REDACTED]	6/15/2018	Centreville	Sewage*
Unknown	6/16/2018	Centreville	Sewage*
***	11/5/2018	Centreville	Sewage*
[REDACTED]	8/23/2019	Centreville	Sewage*

*Owner of collection system, City of Centreville

**Owner of collection system, Commonfields of Cahokia

***Land of Lincoln Legal Assistance Foundation







HURST-ROSCHE
ENGINEERS, INC.

No. 5 Bank Square
East St. Louis, IL 62203
Telephone 618-398-0890
Facsimile 618-398-1339
E-Mail esl@hurst-rosche.com
Web Page hurst-rosche.com

Hillsboro, Illinois
Marion, Illinois
Springfield, Illinois
Arnold, Missouri
Nashville, Missouri

June 10, 2015

Mr. Denny Traiteur
Manager
Commonfields of Cahokia
Public Water District
2525 Mousette Lane
Cahokia, Illinois 62206

SUBJECT: Sewer Repairs Multiple Locations
Commonfields of Cahokia PWD
H-R 211-0594

Dear Mr. Traiteur:

We are transmitting three copies each of the Agreement and Notice to Proceed for the referenced project for your review and signature. Upon execution, please return two copies of the Agreement and all copies of the Notice to Proceed for further processing.

We have also enclosed with the above documents and executed copy of the Notice of Award, Performance Bond, Payment Bond and Certificate of Insurance for your files.

Should you have any questions or require additional information, please feel free to contact our office.

Sincerely,

HURST-ROSCHE ENGINEERS, INC.

Terry A. Sudholt, PE

TAS/jc
Enclosures

C: Mr. Curtis McCall, Board Chairman

Group Exhibit G



Hurst-Rosche, Inc.
James W. Roth, PE, PLS
President

October 22, 2015

SECRET

001 2 8 2015

H. M.

Mr. Denny Traiteur
Manager
Commonfields of Cahokia
Public Water District
2525 Mousette Lane
Cahokia, Illinois 62206

PUBLIC WORKS DISTRICT

SUBJECT: Sewer Repairs Multiple Locations
Commonfields of Cahokia PWD
H-R 211-0594

Dear Mr. Traiteur:

We are transmitting Application for Payment No. 1 and the Contractor's Partial Lien Waiver in the amount of \$90,797.40 for the above referenced project for your review and approval.

We have reviewed the payment request and recommend payment in the amount requested. Should you have any questions or require additional information, please feel free to contact our office.

Sincerely,

HURST-ROSCHE, INC.


Terry A. Sudholt, PE

Jeremy Connor, PE

Randy Mitchell, AIA

5 Bank Square
East St. Louis, IL 62203
(t) 618.398.0890

TAS/jc
Enclosures

C: Mr. Curtis McCall, Board Chairman



RECEIVED

May 17, 2016

MAY 18 2016

Hurst-Rosche, Inc.
James W. Roth, PE, PLS
President

Mr. Denny Traiteur
Manager
Commonfields of Cahokia
Public Water District
2525 Mousette Lane
Cahokia, Illinois 62206

COMMONFIELDS
PUBLIC WATER DISTRICT

SUBJECT: Sewer Repairs Multiple Locations
Commonfields of Cahokia PWD
H-R 211-0594

Dear Mr. Traiteur:

We are transmitting Application for Payment No. 2 and the Contractor's Partial Lien Waiver in the amount of \$16,868.95 for the above referenced project for your review and approval.

We have also included a lien waiver from Falling Springs Quarry Co. in the amount of \$996.78 and Casper Stolle Quarry Co. in the amount of \$6,602.94

We have reviewed the payment request and recommend payment in the amount requested. Should you have any questions or require additional information, please feel free to contact our office.

Sincerely,

HURST-ROSCHÉ, INC.

A handwritten signature in dark ink, appearing to read 'Terry A. Sudholt', is written over the printed name.

Terry A. Sudholt, PE

Jeremy Connor, PE

Randy Mitchell, AIA

5 Bank Square
East St. Louis, IL 62203
(t) 618.398.0890

TAS/jc
Enclosures

C: Mr. Curtis McCall, Board Chairman

hurst-rosche.com

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inches in diameter

3. More than 3,000 feet of force mains
4. More than 900 manholes
5. Twenty-seven (27) pump stations

Copies of the Wastewater Collection System Maps for the Commonfields of Cahokia Public Water District and adjoining communities are included in Appendix D. Areas within the Commonfields of Cahokia Public Water District wastewater collection system are those identified as Sewer Districts C5 through C8, and a portion of Sewer Districts E6 and E7. Sewer Districts C1 through C4 are the Village of Cahokia's wastewater collection system. Sewer Districts E1 through E5 and the remainder of Sewer Districts E6 and E7 are the City of East St. Louis' wastewater collection system.

Information regarding the 27 pump stations within the Commonfields of Cahokia Public Water District, including pump station name, location, number of pumps, pump manufacturer, and horsepower, are included in Appendix E.

All interceptor sewers and pump stations are operated and maintained by the Commonfields of Cahokia Public Water District. All of the Commonfields of Cahokia Public Water District's wastewater is treated at the American Bottoms Wastewater Treatment Plant in Sauget, Illinois.

B. SANITARY SEWER SYSTEM FUNDING

The Commonfields of Cahokia Public Water District's sanitary sewer system is funded by a utility fee. The utility fee provides a dedicated source of funds for the operation, maintenance, rehabilitation, and improvement of the District's sanitary sewer system.

Because the sanitary sewer utility fee is a user fee and not a tax, all properties regardless of ownership are required to pay for the services provided by the District's sanitary sewer system. This includes non-profit entities such as churches, schools and institutions, as well as properties owned by the Commonfields of Cahokia Public Water District, local municipalities, the State of Illinois, and the federal government.

In June 1976, the District approved Sewer Rate Ordinance No. 76-1 creating sanitary sewer utility fees. In August 2013, the District approved Sewer Rate Ordinance No. 2013-2 establishing the current sanitary sewer utility fees.

Under the utility structure, all residential dwelling units and churches are charged a flat rate sewer utility fee, and all commercial and industrial customers are charged a

COMMONFIELDS OF CAHOKIA
PUBLIC WATER DISTRICT
CMOM PROGRAM
AUGUST 2014

graduated sewer utility fee based on their amount of water usage. The sanitary sewer utility charges are calculated to recover the full cost of operating, maintaining, rehabilitating, and improving the sanitary sewer collection system.

Copies of Sewer Rate Ordinance No's 76-1 and 2013-2 are included in Appendices A and B respectively.

Significant statistics from the sanitary sewer utility fee based on the 2012 - 2013 fiscal year (July 2012 to June 2013) financial data include:

1. Two thousand, three hundred and thirty-nine (2,339) customers billed
2. \$577,500 in utility fees generated
3. \$535,500 in net annual sales after deduction of transmission and trunk line reimbursement fees to the Village of Cahokia and the City of East St. Louis

In addition to the sanitary sewer system funding provided through utility fees, the Commonfields of Cahokia Public Water District also receives approximately \$20,000 in funding for sanitary sewer system operations, maintenance, rehabilitation, and improvement expenses from penalties, reconnection fees, and tap-in fees. Additional sanitary sewer system funding is also anticipated from grants and IEPA revolving loans.

The following projected expenditures have been established for the core items in the Commonfields of Cahokia Public Water District budget for the 2013 – 2014 fiscal year (July 2013 to June 2014):

Item	Budget	Percent
General office and overhead expenses	\$742,850	53%
Predictive, preventative, and corrective maintenance & repairs ⁽¹⁾	\$669,000	47%
Emergency maintenance & repairs, future equipment & infrastructure replacement, and contingency funds	\$0	0%
Total	\$1,411,850	100%

Includes tracking design life, life span, and scheduled parts replacement; identifying and fixing system weaknesses which, if left unaddressed, could lead to overflows; and fixing system components that are functioning but not at 100% capacity

COMMONFIELDS OF CAHOKIA
PUBLIC WATER DISTRICT
CMOM PROGRAM
AUGUST 2014

Commonfields of Cahokia
Public Water District

Service Order List - by Due Date
Due dates: 05/16/2019 - 02/19/2020

Page: 1
Feb 28, 2020 11:08AM

Report Criteria:

Selected statuses: Completed, Pending

Action Code Action code = "SND- SEWER NOT DRAINING", "104- SEWER BACKING UP", "SND- SEWER NOT DRAINING", "SWO- SEWER ODOR", "SWB- SEWER BACKING UP"

Service Order Number	Description	Service Address	Customer Number	Created Date	Due Date
05/16/2019					
1055606	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	16719-02	05/16/2019	05/16/2019
1055626	SEWER BACKING UP		12781-01	05/16/2019	05/16/2019
05/17/2019					
1055651	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	16860-00	05/17/2019	05/17/2019
05/20/2019					
1055881	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	16719-02	05/20/2019	05/20/2019
05/23/2019					
1055780	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	16084-00	05/23/2019	05/23/2019
05/24/2019					
1055792	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	12476-01	05/24/2019	05/24/2019
06/05/2019					
1055990	SEWER BACKING UP		12761-01	06/05/2019	06/05/2019
06/12/2019					
1056114	SEWER BACKING UP		12646-07	06/12/2019	06/12/2019
06/25/2019					
1056389	SEWER BACKING UP		10266-00	06/25/2019	06/25/2019
07/01/2019					
1056506	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	12506-12	07/01/2019	07/01/2019
07/10/2019					
1056755	SEWER BACKING UP		12810-24	07/10/2019	07/10/2019
07/12/2019					
1056829	SEWER BACKING UP		10469-01	07/12/2019	07/12/2019
07/16/2019					
1056918	SEWER BACKING UP		12770-13	07/16/2019	07/16/2019
1056937	SEWER BACKING UP		11998-07	07/16/2019	07/16/2019
07/17/2019					
1056953	SEWER BACKING UP		17046-00	07/17/2019	07/17/2019
07/19/2019					
1057078	SEWER BACKING UP		12770-13	07/19/2019	07/19/2019
07/22/2019					
1057091	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	12761-01	07/22/2019	07/22/2019
07/23/2019					
1057304	SEWER BACKING UP		15007-00	07/23/2019	07/23/2019
07/24/2019					
1057225	SEWER BACKING UP		10533-05	07/24/2019	07/24/2019
08/02/2019					
1057366	SEWER BACKING UP		10533-05	08/02/2019	08/02/2019

Group Exhibit I

ED_005451A_00007682-00085

Commonfields of Cahokia
Public Water DistrictService Order List - by Due Date
Due dates: 05/16/2019 - 02/19/2020Page: 2
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Service Order Number	Description	Service Address	Customer Number	Created Date	Due Date
08/05/2019					
1057377	SEWER BACKING UP		12756-08	08/05/2019	08/05/2019
08/07/2019					
1057402	SEWER NOT DRAINING		16083-00	08/07/2019	08/07/2019
1057427	SEWER BACKING UP		10049-01	08/07/2019	08/07/2019
08/08/2019					
1057441	SEWER BACKING UP		12756-08	08/07/2019	08/08/2019
08/16/2019					
1057762	SEWER BACKING UP		10526-00	08/16/2019	08/16/2019
08/19/2019					
1057776	SEWER BACKING UP		12200-08	08/19/2019	08/19/2019
1057799	SEWER BACKING UP		12840-09	08/19/2019	08/19/2019
08/23/2019					
1057954	SEWER BACKING UP		13230-01	08/23/2019	08/23/2019
08/28/2019					
1058044	SEWER BACKING UP		16712-01	08/28/2019	08/28/2019
08/29/2019					
1058078	SEWER BACKING UP		13230-01	08/29/2019	08/29/2019
09/05/2019					
1058203	SEWER BACKING UP		12761-01	09/05/2019	09/05/2019
09/10/2019					
1058325	SEWER BACKING UP		12756-08	09/10/2019	09/10/2019
09/16/2019					
1058422	SEWER BACKING UP		16927-14	09/16/2019	09/16/2019
09/20/2019					
1058629	SEWER BACKING UP		12756-08	09/20/2019	09/20/2019
09/24/2019					
1058663	SEWER BACKING UP		16836-02	09/24/2019	09/24/2019
09/30/2019					
1058803	SEWER BACKING UP		12646-07	09/30/2019	09/30/2019
10/07/2019					
1058885	SEWER BACKING UP		14174-01	10/07/2019	10/07/2019
10/08/2019					
1058958	SEWER BACKING UP		16556-04	10/08/2019	10/08/2019
10/09/2019					
1058988	SEWER BACKING UP		14174-01	10/09/2019	10/09/2019
10/16/2019					
1059121	SEWER BACKING UP		12004-14	10/16/2019	10/16/2019
10/17/2019					
1059145	SEWER BACKING UP		16529-02	10/17/2019	10/17/2019
10/18/2019					
1059167	SEWER BACKING UP		16561-01	10/18/2019	10/18/2019

Ex. 6 Personal Privacy (PP)

Commonfields of Cahokia
Public Water DistrictService Order List - by Due Date
Due dates: 05/16/2019 - 02/19/2020Page: 3
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Service Order Number	Description	Service Address	Customer Number	Created Date	Due Date
10/26/2019					
1059368	SEWER BACKING UP		16561-01	10/25/2019	10/25/2019
11/01/2019					
1059529	SEWER BACKING UP		16211-02	11/01/2019	11/01/2019
11/04/2019					
1059536	SEWER BACKING UP		16215-00	11/04/2019	11/04/2019
11/12/2019					
1059738	SEWER BACKING UP		12512-10	11/12/2019	11/12/2019
11/20/2019					
1060033	SEWER BACKING UP		12006-22	11/20/2019	11/20/2019
11/22/2019					
1060079	SEWER BACKING UP		16814-00	11/22/2019	11/22/2019
12/02/2019					
1060189	SEWER BACKING UP		16213-00	12/02/2019	12/02/2019
12/04/2019					
1060260	SEWER BACKING UP		12770-13	12/04/2019	12/04/2019
12/05/2019					
1060286	SEWER BACKING UP		16814-00	12/05/2019	12/05/2019
12/12/2019					
1060450	SEWER BACKING UP		10526-00	12/12/2019	12/12/2019
1060457	SEWER BACKING UP		16397-01	12/12/2019	12/12/2019
1060464	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	10533-05	12/12/2019	12/12/2019
12/23/2019					
1060673	SEWER BACKING UP		17381-00	12/27/2019	12/23/2019
01/02/2020					
1060707	SEWER BACKING UP		15421-03	01/02/2020	01/02/2020
01/06/2020					
1060769	SEWER BACKING UP		17406-01	01/06/2020	01/06/2020
01/10/2020					
1060932	SEWER BACKING UP		16681-00	01/10/2020	01/10/2020
1060944	SEWER BACKING UP		15007-00	01/10/2020	01/10/2020
01/13/2020					
1060951	SEWER BACKING UP		16189-01	01/13/2020	01/13/2020
1060958	SEWER BACKING UP		16419-02	01/13/2020	01/13/2020
01/14/2020					
1061024	SEWER BACKING UP		16762-00	01/14/2020	01/14/2020
01/15/2020					
1061056	SEWER BACKING UP		12664-03	01/15/2020	01/15/2020
1061087	SEWER BACKING UP		12075-07	01/15/2020	01/15/2020
1061102	SEWER BACKING UP		10460-00	01/15/2020	01/15/2020
01/21/2020					
1061164	SEWER BACKING UP		16028-01	01/21/2020	01/21/2020
1061202	SEWER BACKING UP		10588-05	01/21/2020	01/21/2020

Commonfields of Cahokia
Public Water DistrictService Order List - by Due Date
Due dates: 05/16/2019 - 02/19/2020Page: 4
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Service Order Number	Description	Service Address	Customer Number	Created Date	Due Date
01/23/2020					
1061248	SEWER BACKING UP		12135-00	01/23/2020	01/23/2020
01/28/2020					
1061407	SEWER BACKING UP		12135-00	01/28/2020	01/28/2020
02/03/2020					
1061581	SEWER BACKING UP		16648-00	02/03/2020	02/03/2020
02/05/2020					
1061665	SEWER BACKING UP		13010-00	02/05/2020	02/05/2020
1061667	SEWER BACKING UP		16648-00	02/05/2020	02/05/2020
02/06/2020					
1061676	SEWER BACKING UP		16426-10	02/06/2020	02/06/2020
02/11/2020					
1061818	SEWER BACKING UP	Ex. 6 Personal Privacy (PP)	16825-02	02/11/2020	02/11/2020
02/13/2020					
1061881	SEWER BACKING UP		16035-00	02/13/2020	02/13/2020
1061884	SEWER BACKING UP		10516-01	02/13/2020	02/13/2020
1061885	SEWER NOT DRAINING		16084-00	02/13/2020	02/13/2020
02/14/2020					
1061972	SEWER BACKING UP		10481-02	02/14/2020	02/14/2020
02/17/2020					
1061983	SEWER BACKING UP		16762-00	02/17/2020	02/17/2020
02/18/2020					
1062038	SEWER NOT DRAINING		17327-03	02/18/2020	02/18/2020

Commonfields of Cahokia Public Water

Work Order

WO Number _____

CYCLE: _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO.: _____

SERVICE ID: _____

ISSUE DATE: 11/17-12

ACCOUNT NO.: _____

PROCESS DATE: 11

SERVICE ID: _____ Reading Seq. _____

PROCESS TIME: _____

ADDRESS: 200 N. 63rd

REQUESTED BY: _____

METER NUMBER: _____

ASSIGNED TO: Wayne**WORK ORDER CODE & DESCRIPTION:**Sever backing up please check**INFORMATION FROM THE FIELD**

METER TYPE: _____

NEW METER TYPE: _____

OLD METER #: _____

NEW METER #: _____

OLD METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: JR-BT-FFDATE: 1-17-12

Comments:

Turned on pump

DATE COMPLETED: _____

FINAL BILL INFORMATION:

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

cahworko.frx

WORK ORDER 0008

Group Exhibit J

ED_005451A_00007682-00089

Commonfields of Cahokia Public Water

Work Order

WO Number _____

CYCLE: _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

SERVICE ID: _____

ACCOUNT NO.: _____

SERVICE ID: _____ Reading Seq. _____

ADDRESS: _____

METER NUMBER: _____

PHONE NO.: _____

ISSUE DATE: 11 _____PROCESS DATE: 11 _____

PROCESS TIME: _____

REQUESTED BY: _____

ASSIGNED TO: _____

WORK ORDER CODE & DESCRIPTION:TEST MOTOR**INFORMATION FROM THE FIELD**

METER TYPE: _____

NEW METER TYPE: _____

OLD METER #: _____

NEW METER #: _____

OLD METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: JR-JHDATE: 1-19-12

Comments:

Could not get tester to work
NEED new tester

DATE COMPLETED: _____

FINAL BILL INFORMATION:

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

cahworko.frx

WORK ORDER 0013

ED_005451A_00007682-00090

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE# _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO: _____

SERVICE ID: _____

ISSUE DATE: 11-31-2012

ACCOUNT NO: _____

PROCESS DATE: 11

SERVICE ID: _____

Reading Seq. _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: WAYNE

METER NUMBER: _____

ASSIGNED TO: FRANK

WORK ORDER CODE & DESCRIPTION:

PUMP DOWN WITH 3" PUMP-
JET + VAC

INFORMATION FROM THE FIELD

METER TYPE: _____

NEW METER TYPE: _____

OLD METER #: _____

NEW METER #: _____

OLD METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: F.P.-B.S.-B.T.-S.T.DATE: 1-31-12Comments: Pumped down main lines, fitted lines
on Pittsburg. - manholes need vacuumed

JOB COMPLETED: _____

ALL BILL INFORMATION: _____

DE: _____

RESS: _____

STATE/ZIP: _____

co. frx

WORK ORDER 0020

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE: _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____ PHONE NO.: _____
SERVICE ID: _____ ISSUE DATE: 11
ACCOUNT NO.: _____ PROCESS DATE: 11/31/12
SERVICE ID: _____ Reading Seq. _____ PROCESS TIME: _____
ADDRESS: _____ REQUESTED BY: JT
METER NUMBER: MARKET ST BETWEEN 53rd & 54TH ASSIGNED TO: WM

WORK ORDER CODE & DESCRIPTION:SEWERAGE COMING OUT OF MANHOLE**INFORMATION FROM THE FIELD**

METER TYPE: _____ NEW METER TYPE: _____
OLD METER #: _____ NEW METER #: _____
OLD METER READING: 0.00000 NEW METER READING: _____
WORK DONE BY: JR - JH DATE: 2-1-12

Comments: TURNED OFF PUMP - BECAUSE
POLICE STATION IS OUT -
OPERATING BY HAND

DATE COMPLETED: _____

FINAL BILL INFORMATION:

NAME: _____
ADDRESS: _____
CITY/STATE/ZIP: _____

cahworko.frx

WORK ORDER 0021

ED_005451A_00007682-00092

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE: _____ ROUTE: _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO.: _____

SERVICE ID: _____

ISSUE DATE: 11

ACCOUNT NO.: _____

PROCESS DATE: 11-29-12

SERVICE ID: _____

Reading Seq. _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: Shelley

METER NUMBER: _____

ASSIGNED TO: Wayne

WORK ORDER CODE & DESCRIPTION:

manhole lid/cover missing on Bellevue
Between 83rd & 84th St

INFORMATION FROM THE FIELD

METER TYPE: _____

NEW METER TYPE: _____

OLD METER #: _____

NEW METER #: _____

OLD METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: JRDATE: 2-9-12

Comments:

BEEN MISSING - REPLACED TIRE ON RING

DATE COMPLETED: _____

FINAL BILL INFORMATION:

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

orko.crx

WORK ORDER 0025

Commonfields of Cahokia Public Water

Work Order

WO Number _____

CYCLE: _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO.: _____

SERVICE ID: _____

ISSUE DATE: 11

ACCOUNT NO.: _____

PROCESS DATE: 11-2-28-12

SERVICE ID: _____

Reading Seq. _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: Shelly

METER NUMBER: _____

ASSIGNED TO: W. Wayne**WORK ORDER CODE & DESCRIPTION:**54th & Market, sewer in Backing up**INFORMATION FROM THE FIELD**

METER TYPE: _____

NEW METER TYPE: _____

OLD METER #: _____

NEW METER #: _____

OLD METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: JR-JHDATE: 2-28-12

Comments:

Turned off pump
Police station Lost prime

DATE COMPLETED: _____

FINAL BILL INFORMATION:

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

iworko:frx

WORK ORDER 0033

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE: _____ ROUTE: _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO: _____

SERVICE ID: _____

ISSUE DATE: 11 3-20-2012

ACCOUNT NO: _____

PROCESS DATE: 11

SERVICE ID: _____

Reading Seq: _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: WAYNE

METER NUMBER: _____

ASSIGNED TO: _____

81 ST + BLUFF

WORK ORDER CODE & DESCRIPTION:

CHECK SEWER CAVE IN

INFORMATION FROM THE FIELD

METER TYPE: _____

NEW METER TYPE: _____

METER #: _____

NEW METER #: _____

METER READING: 0.00000

NEW METER READING: _____

K DONE BY: FP BS BT STDATE: 3-21-2012

MENTS:

FILLED IN WITH 24 ROCKIL AMERICAN MAIN BASE

COMPLETED: _____

BILL INFORMATION: _____

S:

TE/ZIP: _____

WORK ORDER 0045

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE: _____ ROUTE: _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO: _____

SERVICE ID: _____

ISSUE DATE: 11-28-2012

ACCOUNT NO: _____

PROCESS DATE: 11

SERVICE ID: _____

Reading Seq: _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: WAGNER

METER NUMBER: _____

82ND + BELLEVUEASSIGNED TO: PACIE

WORK ORDER CODE & DESCRIPTION:

INSTALL NEW MAN HOLE LID AND COVER WITH BLACK TOP

INFORMATION FROM THE FIELD

TER TYPE: _____

NEW METER TYPE: _____

METER #: _____

NEW METER #: _____

METER READING: 0.00000

NEW METER READING: _____

K DONE BY: F.P.-B.T.DATE: 3-28-12Notes: installed new manhole lid & covered with cold patch

COMPLETED: _____

BILL INFORMATION: _____

SI: _____

SITE/ZIP: _____

WORK ORDER 0049

ED_005451A_00007682-00096

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE: _____ ROUTE: _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO: _____

SERVICE ID: _____

ISSUE DATE: 11-3-28-2012

ACCOUNT NO: _____

PROCESS DATE: 11

SERVICE ID: _____

Reading Seq: _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: WAGNERMETER NUMBER: 81ST + BLUFFASSIGNED TO: PAGE

WORK ORDER CODE & DESCRIPTION:

INSTALL NEW MAN HOLE LID AND
COVER WITH BLACK TOP

INFORMATION FROM THE FIELD

METER TYPE: _____

NEW METER TYPE: _____

METER #: _____

NEW METER #: _____

METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: F.P. - B.T.DATE: 3-28-12REMARKS: Installed new manhole lid & covered with
Cold Patch

COMPLETED: _____

BILL INFORMATION: _____

BY: _____

DATE/ZIP: _____

WORK ORDER 0050

ED_005451A_00007682-00097

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE: _____ ROUTE: _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO: _____

SERVICE ID: _____

ISSUE DATE: 11-3-28-2012

ACCOUNT NO: _____

PROCESS DATE: 11

SERVICE ID: _____

Reading Seq: _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: WAGNERMETER NUMBER: 11TD BURGASSIGNED TO: PAGE

WORK ORDER CODE & DESCRIPTION:

INSTALL NEW MAN HOLE LID AND
COVER WITH BLACK TOP

INFORMATION FROM THE FIELD

METER TYPE: _____

NEW METER TYPE: _____

METER #: _____

NEW METER #: _____

METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: 3-28-12DATE: BT-FP

REPLACED MANHOLE LID WAS MISSING -
COVERED WITH ASPHALT

COMPLETED: _____

BILL INFORMATION: _____

9:

TE/ZIP: _____

WORK ORDER 0051

ED_005451A_00007682-00098

Commonfields of Cahokia Public Water

Work Order

WO Number

CYCLE# _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME

PHONE NO:

SERVICE ID:

ISSUE DATE:

ACCOUNT NO:

PROCESS DATE:

SERVICE ID:

Reading Seq

PROCESS TIME:

ADDRESS:

REQUESTED BY:

METER NUMBER:

ASSIGNED TO:

63RD + PITTSBURGH

11-3-28-2012

11

WAGNER

PAGE

WORK ORDER CODE & DESCRIPTION:

INSTALL NEW MAN HOLE LID AND COVER
WITH BLACK TOP

INFORMATION FROM THE FIELD

METER TYPE:

NEW METER TYPE:

METER #:

NEW METER #:

METER READING: 0.00000

NEW METER READING:

WORK DONE BY:

DATE:

BT-FP

3-28-12

Comments:

REPLACED MANHOLE LID MISSING -
COVERED WITH ASPHALT

COMPLETED:

BILL INFORMATION:

S:

CITY/ZIP:

WORK ORDER 0052

ED_005451A_00007682-00099

Commonfields of Cahokia Public Water

Work Order

WO Number _____

CYCLE# _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME:

SERVICE ID:

ACCOUNT NO.:

SERVICE ID:

ADDRESS:

METER NUMBER:

Reading Seq.

PHONE NO.:

ISSUE DATE:

PROCESS DATE:

PROCESS TIME:

REQUESTED BY:

ASSIGNED TO:

WORK ORDER CODE & DESCRIPTION:

Ill Water called and said the sewer
is leaking where they are supposed to fix
a main break.

INFORMATION FROM THE FIELD

METER TYPE:

OLD METER #:

OLD METER READING: 0.00000

WORK DONE BY: BT TC

Comments: E-ST. LOUIS

NEW METER TYPE:

NEW METER #:

NEW METER READING:

DATE:

NOT TAKING US

WORK COMPLETED: 4-2-2012

BILL INFORMATION:

F:

LESS:

STATE/ZIP:

WORK ORDER 0055

ED_005451A_00007682-00100

Commonfields of Cahokia Public Water

Work Order

WO Number _____

CYCLE: _____ ROUTE # _____

INFORMATION ASSIGNED BY OFFICE

NAME: _____

PHONE NO.: _____

SERVICE ID: _____

ISSUE DATE: 11

ACCOUNT NO.: _____

PROCESS DATE: 11-5-15-13

SERVICE ID: _____

Reading Seq. _____

PROCESS TIME: _____

ADDRESS: _____

REQUESTED BY: F.P.METER NUMBER: 78 LAURALEEASSIGNED TO: B.T.

WORK ORDER CODE & DESCRIPTION:

PULL PUMP

INFORMATION FROM THE FIELD

METER TYPE: _____

NEW METER TYPE: _____

OLD METER #: _____

NEW METER #: _____

OLD METER READING: 0.00000

NEW METER READING: _____

WORK DONE BY: BT-TT-JR-STDATE: 5-15-13

Comments:

PULLED PUMP - FULL OF RAGS - REMOVED RAGS
TRIED PUMP AGAIN - PUMP IS BURNT - JUST HUMS
BROUGHT PUMP INTO SHOP

DATE COMPLETED: _____

FINAL BILL INFORMATION:

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

OFFICE OF THE MAYOR



MARIUS D. JACKSON
MAYOR

October 21, 2014

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

RECEIVED

NOV - 3 2014

BUREAU OF WATER
BUREAU CHIEF'S OFFICE

Re: City of Centreville
Complaint about Sanitary Sewer Backups

Dear Mr. Bridgewater,

We are aware of the numerous and frequent complaints due to the ongoing sewage backups in the yard of the resident at [REDACTED]. We did respond to several complaints at this address.

We have spoken with the homeowner. Likewise, we installed a pump over a week ago and there have been no reports of problems since the installation.

Please feel free to contact me if there are any other questions/concerns regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Marius Jackson", is written over the word "Sincerely".

Marius Jackson
Mayor of Centreville
MJ/nd

REPA DIVISION OF RECORDS MANAGEMENT
F E B R U A R Y

MAY 02 2018

REVIEWER: EMI

Group Exhibit K



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
 BRUCE RAUNER, GOVERNOR
 LISA BONNETT, DIRECTOR

July 14, 2015

City of Centreville
 Mayor Marcus Jackson
 5800 Bond Avenue
 Centreville, Illinois 62207

Re: City of Centreville
 Complaint about Pump Station

Dear Mayor Jackson:

The Illinois EPA Collinsville Field Office has received over the last several months telephone complaints from two of your citizens of problems with a pump station located on the east side of South 34th Street. Mr. Wayne Caughman and Chris Monke of the Collinsville Field office of IEPA along with Myla Blandford of the East Side Health District met with representatives of your public works department on April 27, 2015 to investigate this problem. We have been advised this week that as a result of the continued intermittent operation of this facility, both storm and sewage water is again backed up in ditches on both sides of South 34th Street.

Since the operation and maintenance of the sewer system is under Centreville's jurisdiction, we suggest you periodically conduct an investigation of your sewer collection system to look for similar problem areas. Furthermore, we encourage you to maintain a record of all complaints that you may receive and the results of your investigations. Such a record will be useful to you in planning future sewer repairs or replacements.

Please inform this office, in writing, within fifteen (15) days of receipt of this letter, as to your plans to evaluate your system and in particular issues with this particular pump station. Also advise what steps might be taken or are being considered to correct any problems found.

Should you have any questions, please contact Wayne Caughman of the Illinois EPA, Collinsville Field Office, 2009 Mall Street, Collinsville, Illinois 62234 or telephone number 618/346-5125. We look forward to your reply.

Sincerely,

W. Bud Bridgewater, P.E.
 Manager, Field Operations Section
 Division of Water Pollution Control

IEPA-DIVISION OF RECORDS MANAGEMENT
 RELEASABLE

MAY 02 2018

REVIEWER: EMI

4302 N. Main St., Rockford, IL 61103 (815) 907-7760
 575 S. State, Elgin, IL 60123 (847) 608-3131
 2125 S. First St., Champaign, IL 61820 (217) 278-5800
 2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60018 (847) 294-4000
 412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
 2309 W. Main St., Suite 116, Moline, IL 62959 (618) 993-7200
 100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

PLEASE PRINT ON RECYCLED PAPER



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

September 15, 2015

City of Centreville
Mayor Marius Jackson
5800 Bond Avenue
Centreville, Illinois 62207

Re: City of Centreville
Complaint about Sewer discharges

Dear Mayor Jackson:

The Illinois EPA received a recent complaint from a representative of the Grand Marias Golf Course in Centreville regarding sewer overflows from your collection system near homes at [REDACTED] which then discharged through a storm water ditch into a pond on the golf course. This was investigated and confirmed by two representatives of the Collinsville Field office as a result of an inspection made on August 12, 2015.

Since the operation and maintenance of the sewer system is under Centreville's jurisdiction, we suggest you periodically conduct an investigation of your sewer collection system to look for similar problem areas. Furthermore, we encourage you to maintain a record of all complaints that you may receive and the results of your investigations. Such a record will be useful to you in planning future sewer repairs or replacements.

Please inform this office, in writing, within fifteen (15) days of receipt of this letter, as to your plans to evaluate your system and in particular issues with this particular pump station. Also advise what steps might be taken or are being considered to correct any problems found.

Should you have any questions, please contact Wayne Caughman of the Illinois EPA, Collinsville Field Office, 2009 Mail Street, Collinsville, Illinois 62234 or telephone number 618/346-5125. We look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Bud Bridgewater".

W. Bud Bridgewater, P.E.
Manager, Field Operations Section
Division of Water Pollution Control

IEPA-DIVISION OF RECORDS MANAGEMENT
SEP 15 2015

MAY 02 2018

REVIEWER: EMI

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5500
2009 Mail St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 116, Merion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

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ED_005451A_00007682-00104



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
 BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

Mr. Marius Jackson, Mayor
 City of Centreville
 5800 Bond Avenue
 Centreville, Illinois 62207

Re: City of Centreville
 Complaint about Sanitary Sewer Discharges/Backups

Dear Mayor Jackson:

The Illinois EPA Collinsville Field Office has received several recent complaints of frequent sewage backups and sewage being discharged out of manholes near residences at [REDACTED] that are attributed to problems in the Centreville public sewer system. On May 31, 2017, Mr. Wayne Caughman representing the Illinois EPA discussed these complaints in detail with your Mr. Robert Whitehead, Public Works Director.

Since the operation and maintenance of the sewer system is under your jurisdiction, we request that you investigate the complaint and determine what may be causing the problem. Furthermore, we encourage you to maintain a record of all complaints that you may receive and the results of your investigations. Such a record will be useful to you in planning future sewer repairs or replacements.

Please inform this office, in writing, within fifteen (15) days of receipt of this letter, as to the results of your investigation and what steps will be taken to correct any problem found.

Should you have any questions, please contact Wayne Caughman of the Illinois EPA, Collinsville Regional Office, 2009 Mall Street, Collinsville, Illinois 62234 or telephone number 618/346-5125. We look forward to your reply.

Sincerely,

James L. Miles

Jim L. Miles
 Manager, Field Operations Section
 Bureau of Water
 Division of Water Pollution Control

IL EPA-DIVISION OF RECORDS MANAGEMENT
 618-346-5125

MAY 02 2018

REVIEWER: EMI

RECEIVED

JUL 06 2017

IL EPA
 COLLINSVILLE OFFICE

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
 595 S. State, Elgin, IL 60123 (847) 608-3131
 2125 S. First St., Champaign, IL 61820 (217) 278-5800
 2009 North St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 298-4000
 412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
 2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
 100 W. Randolph, Suite 10-300, Chicago, IL 60601

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

01

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

W1630300005
1700-0206-4986

Mr. Marius Jackson, Mayor
City of Centreville
5800 Bond Avenue
Centreville, Illinois 62207

Re: City of Centreville
Complaint about Sanitary Sewer Discharges/Backups

Dear Mayor Jackson:

The Illinois EPA Collinsville Field Office has received several recent complaints of frequent sewage backups and sewage being discharged out of manholes near residences at Ex. 6 Personal Privacy (PP) Centreville that are attributed to problems in the Centreville public sewer system. On May 31, 2017, Mr. Wayne Caughman representing the Illinois EPA discussed these complaints in detail with your Mr. Robert Whitehead, Public Works Director.

Since the operation and maintenance of the sewer system is under your jurisdiction, we request that you investigate the complaint and determine what may be causing the problem. Furthermore, we encourage you to maintain a record of all complaints that you may receive and the results of your investigations. Such a record will be useful to you in planning future sewer repairs or replacements.

Please inform this office, in writing, within fifteen (15) days of receipt of this letter, as to the results of your investigation and what steps will be taken to correct any problem found.

Should you have any questions, please contact Wayne Caughman of the Illinois EPA, Collinsville Regional Office, 2009 Mall Street, Collinsville, Illinois 62234 or telephone number 618/346-5125. We look forward to your reply.

Sincerely,

Jim L. Miles
Manager, Field Operations Section
Bureau of Water
Division of Water Pollution Control

IL EPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE
JUN 29 2017
REVIEWER JRM

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601

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ED_005451A_00007682-00106



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
PAT QUINN, GOVERNOR LISA BONNETT, DIRECTOR

JAN - 4 2018

City of Centerville
Mr. Thomas Hill, Public Works Department
5800 Bond Avenue
Centerville, Illinois 62207

Re: City of Centerville
Complaint about Sanitary Sewer Backups

Dear Mr. Hill,

The Illinois EPA, Collinsville Regional Office, received several recent complaints of sewage waste standing in the ditches from apparent backups in the pump station at 37th and Market Streets. We understand that Centerville employees have responded to several complaints at this address in the past.

Since the operation and maintenance of the sewer system is under your jurisdiction, we request that you further investigate the complaint and determine what may be causing the problem. Furthermore, we encourage you to maintain a record of all complaints that you may receive and the results of your investigations. Such a record will be useful to you in planning future sewer repairs or replacements.

Please inform this office, in writing, within fifteen (15) days of receipt of this letter, as to the results of your investigation and what steps will be taken to correct any problems found.

Should you have any questions, please contact Wayne Caughman of the Illinois EPA, Collinsville Regional Office, 2009 Mall Street, Collinsville, Illinois 62234 or telephone number 618/346-5125. We look forward to your reply.

Sincerely,

James L. Miles
James L. Miles.
Manager, Field Operations Section
Bureau of Water
Division of Water Pollution Control

IEPA-DIVISION OF RECORDS MANAGEMENT

MAY 02 2018

REVIEWER: EMI

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60120 (847) 408-3131
2123 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5125

9511 Harrison St., Oak Park, IL 60016 (847) 294-4000
5407 N. University St., Aurora, IL 61614 (309) 693-5442
2309 W. Main St., Suite 114, Mokena, IL 60459 (815) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217/782-9720

May 22, 2018

Mayor Marius Jackson
Village of Centerville
5800 Bond Avenue
Centerville, IL 62207

Re: Village of Centerville
NPDES Permit No. ILR400312
Bureau of Water ID # W1630300005
Small Municipal Separate Storm Sewer Permit (MS4)
Failure to Renew NPDES Permit or Submit Waiver Request

IEPA DIVISION OF RECORDS MANAGEMENT
RELEASABLE

MAR 29 2019

REVIEWER: JMR

Dear Mayor Jackson:

The Agency records indicate that the subject MS4 NPDES Permit has expired. Neither a Notice of Intent (NOI) renewal application or a request for waiver has been received. The following website links provide information on the MS4 Notice of Intent and the waiver:

<http://www.epa.illinois.gov/topics/forms/water-permits/storm-water/ms4/index>

<http://www.epa.state.il.us/water/permits/storm-water/forms/notice-of-Intent-Waiver-MS4-permit.pdf>

Attached to this letter is a Notice of Intent application and a waiver request form. It is requested that the Notice of Intent or a waiver request be submitted to this Agency within 30 days at the following address:

Illinois Environmental Protection Agency
Bureau of Water, Permit Section #15
Attn: Terri LeMasters
1021 N. Grand Avenue East, P.O. Box 19276
Springfield, Illinois 62794-9276

Failure to adequately respond to this request may result in a potential Violation Notice being sent by this Agency pursuant to Section 31 of the Environmental Protection Act.

Should you have any questions regarding the above please contact the undersigned.

Sincerely,

Roger Callaway, Manager
Compliance Assurance Section
Bureau of Water

Enclosure

RECEIVED

JUN 01 2018

IEPA
COLLINSVILLE OFFICE

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60120 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-8800
2009 Main St., Carleville, IL 62234 (618) 346-3120

9511 Harrison St., Oak Park, IL 60454 (647) 294-4000
413 3W Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 116, Mokena, IL 60459 (815) 693-7200
100 W. Randolph, Suite 4-250, Chicago, IL 60601

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

217/782-9861

August 1, 2018

CERTIFIED MAIL # 7013 2630 0001 4707 8155
RETURN RECEIPT REQUESTED

Mayor Marius Jackson
Village of Centreville
5800 Bond Avenue
Centreville, IL 62207

Re: Violation Notice: Centreville, Village of – ILR400312 – W1630300005
Violation Notice No.: W-2018-50080

Dear Facility Owner:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

ATTACHMENT A

Centreville, Village of – ILR400312

VIOLATION NOTICE NO. W-2018-50080

Questions regarding the violations identified in this attachment should be referred to **Greg Spencer at (217) 782-9871**.

A review of information available to the Illinois EPA indicates the following violations of statutes, regulations, or permit. Included with each type of violation is an explanation of the violation, including an estimated time period for resolution.

The NPDES MS4 Permit has expired and no renewal application or waiver request has been received by the Agency to date.

Failure to Timely Renew NPDES MS4 Permit

Establish and implement procedures to assure that all required permits are obtained timely. Compliance is expected immediately.

<u>Violation Date</u>	<u>Violation Description</u>
03/31/2014 To Present	Failure to timely renew NPDES MS4 Permit (ILR400312)
Rule/Reg.:	Section 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2016); 35 Ill Adm. Code 309.102(a)

ATTACHMENT B

Centreville, Village of – ILR400312

VIOLATION NOTICE NO.: W-2018-50080

In order to assist your facility in attaining compliance with the apparent violations listed in Attachment A, the following recommendations are offered:

1. The following website links provide information on the MS4 Notice of Intent and the waiver:

<http://www.epa.illinois.gov/topics/forms/water-permits/storm-water/ms4/index>

<http://www.epa.state.il.us/water/permits/storm-water/forms/notice-of-Intent-Waiver-MS4-permit.pdf>

2. If you have questions regarding the MS4 Permit NOI or Waiver, Please Contact Terri LeMasters at (217) 782-0610.
3. Submit the Notice of Intent or a waiver request along with your response to the Violation Notice (VN) within 45 days of receipt of this letter as directed in the VN.

Page 2 of 2

Centreville, Village of – ILR400312

VN W-2018-50080

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by, either agreeing to and signing the proposed CCA, or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA. When compliance is achieved, the owner of the facility must submit a completed statement of compliance form certifying that all Compliance Commitment Agreement measures/events have been successfully completed.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Water Pollution Control
Attn: Greg Spencer/ CAS#19
P.O.BOX 19276
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, **W-2018-50080**.

Questions regarding this Violation Notice should be directed to **Greg Spencer 217/782-9871**.

Sincerely,

Roger Callaway, Manager
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

Attachments

W1638020002

FOS

Pump Station Information

Commonfields of Cahokia Pubic Water District

No.	Pump Station Name	Pump Station Condition	Number of Pumps	Pump Type	Pump Horsepower
1	9 Violet	Good Condition	2	Submersible	2.7
2	51 st & Market	Fair Condition	2	Suction Lift	7.5
3	53 rd & Market	Good Operating Condition	2	Submersible	3.4
4	63 rd & Laura	Fair Condition	2	Eductor	5
5	71 st & Ames	Fair Condition	2	Eductor	3
6	73 rd & Oakland	Station Floods	1	Eductor	5
7	73 rd St.	Poor Condition	1	Eductor	5
8	75 th & Clinton	Temporary Submersible	1	Submersible	2
9	75 th & Pershing	Good Condition	2	Eductor	1.5
10	82 nd & Belleview	Station Floods – Temporary Submersible	1	Submersible	7.5
11	82 nd & Bluff	Station Floods – Temporary Submersible	1	Submersible	7.5
12	Beachland	Poor Condition	1	Eductor	3
13	Blockhouse	Temporary Submersible	1	Submersible	7.5
14	Bridgedale	Poor Condition	1	Suction Lift	3
15	City Hall (Front)	Fair Condition	2	Suction Lift	7.5
16	City Hall (Rear)	Fair Condition	2	Submersible	4.5
17	Creston Drive	Good Condition	2	Submersible	3
18	Greystone Apartments	Good Condition	2	Submersible	3.4
19	I.C. Tracks	Good Condition	2	Submersible	5.5
20	Lady of Snows	Station Flooded / Temporary Submersible	1	Submersible	3
21	Lake Drive Pill Box	Poor Condition	1	Suction Lift	3
22	Lauralee & Violet	Temporary Submersible	1	Submersible	5
23	Mary Ryans	Temporary Submersible	1	Submersible	5
24	Mousette Lane	Good Condition	2	Submersible	1.5
25	Race Track	Abandoned	2	Flooded Suction	5
26	Superior	Fair Condition	2	Suction Lift	7.5
27	Willie Holmes Pill Box	Fair Condition	1	Suction Lift	3
28					
29					
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IEPA - DIVISION OF RECORDS MANAGEMENT
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